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THE LOUISIANA HISTORICAL QUARTERLY

Vol. 28, No. 4 OCTOBER, 1945

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THE NEUTRAL GROUND BETWEEN LOUISIANA AND TEXAS, 1806-1821*

By J. VILLASANA HAGGARD

INTRODUCTION

For fifteen years ownership of a long and narrow strip of land lying between Louisiana and Texas, and known as the Neutral Ground, was disputed by Spain and the United States. Its ownership finally went to the United States by the proclamation of the Adams-Onís treaty on February 22, 1821. In the interval between the establishment of the Neutral Ground and its dissolution much diplomatic activity was carried on between the United States and Spain in an attempt to settle the dispute over the establishment of a definite boundary between the two countries. While diplomatic negotiation was in progress settlers moved into the disputed area, and traders, filibusters, and fugitive slaves used the Neutral Ground as a bridge leading to Texas.

This study attempts to give an account of the development of the idea for a Neutral Ground; a statement of its political and geographical aspects; a brief discussion of the establishment and eradication of settlers within the disputed area; a survey of trade that passed across this territory; an account of the disturbance created by fugitive slaves that sought refuge in Spanish territory and in the Neutral Ground; and a summary of filibustering expeditions. Since diplomacy connected with the Neutral Ground has been variously explored in extensive studies, this phase of the boundary settlement will be touched upon only incidentally. Inasmuch as filibustering expeditions have been amply discussed elsewhere, and as they are deemed to have been more romantic and sensational than effective, only a brief summary of each movement that made use of the Neutral Ground will be presented.

* Doctoral dissertation in History, University of Texas, 1942.

The section dealing with settlers will necessarily be fragmentary because of the difficulties encountered in the search for privately owned documents. An attempt will be made, however, to present ample evidence to show that many respectable settlers lived in the Neutral Ground, and that the transient population contributed more heavily than did the permanent settlers to the outlaw element found there.

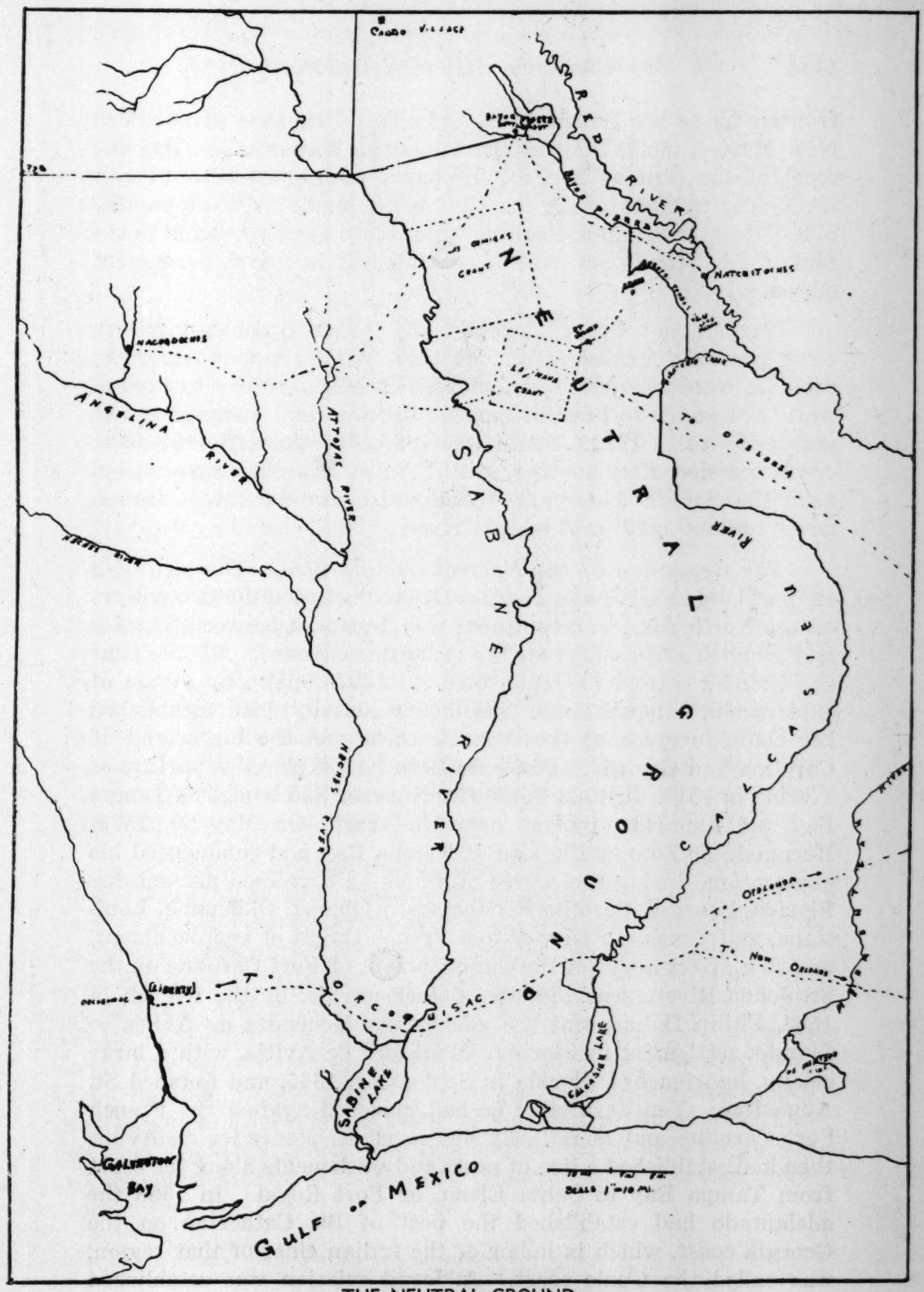
CHAPTER I

BACKGROUND

The Neutral Ground was a strip of land lying between Louisiana and Texas from 1806 to 1821 which served as the last in a series of barriers erected by Spain in her futile attempt to stem the rolling westward tide of American expansion. The many other barriers which had been raised by Spain in previous years had crumbled before the impact of the relentless swirl of other Europeans who were irresistibly attracted both to the valuable settlements that beckoned the restless trader and to the fabulous mines of New Spain, or Mexico, that dazzled the adventurous. No other disputed area before, however, had been so well defined, none given such formal recognition, and none had succeeded in resisting the nibbling erosion so well as did this, the last barrier.

Spanish mines, like loadstones of adventure, commenced to lure Englishmen southward and westward soon after the English settlement of Jamestown was founded on the Atlantic coast. This southward expansion early clashed with Spanish settlements in Carolina, Georgia, and Florida. Temporarily checked, but never discouraged, the English held their southern gains and veered to the west. Before reaching the Spanish settlements of New Spain, however, the English encountered in the Mississippi Valley the French wedge which also served as a Spanish barrier. Thus it was not until 1762, when Louisiana was transferred by France to Spain, that the Spaniards in the west again clashed directly with the English. But the force of the clash was diminished by the fact that by that time the English were experiencing colonial trouble, and it was only a few years later that they lost most of their valuable American possessions.

Spain had likewise to fend widespread French incursions. The French continually made thrusts into the vulnerable Spanish



THE NEUTRAL GROUND
Between Louisiana and Texas, 1806-1821.
Drawn by J. V. Haggard, 8-1-942

frontier along the fringe of the unexplored expanse of northern New Mexico, along the western Louisiana border, and along the coast of the Gulf of Mexico. To parry the thrust of a French settlement in Texas near the Gulf coast, made by a supposedly blundering Frenchman, Spain advanced into east Texas and there, facing the French settlements, established her first permanent outposts.

English and French attempts to invade Spanish territory were generally unsuccessful, but those of the young American republic were eventually victorious. American desire to expand westward seems to have increased with the final achievement of independence in 1783. Spain was compelled thereafter to make one concession after another, until the American flag was hoisted near the Sabine River and the Spanish standard was furled, never to float again east of that river.

The Beginning of the Neutral Ground Idea.—The idea of a strip of land to serve as a Neutral Ground between the two powers on the North American continent was first used between Spanish and English possessions on the Atlantic seaboard. By the time the English settled in Jamestown, in 1607, Spain, by virtue of exploration, conquest, and missionary activity, had established her claim to much of the Atlantic coast and the hinterland of Carolina and Georgia. Ponce de León had explored a portion of Florida in 1513. In 1528 Pánfilo de Nárvaez had landed at Tampa Bay and founded a village near the coast. On May 30, 1539, Hernando de Soto had landed at Tampa Bay and commenced his exploration, during the course of which he traversed present-day Florida, Georgia, Carolina, Tennessee, Alabama, Oklahoma, Louisiana, and Texas. In answer to a French threat of encroachment, and as a direct result of the establishment of Fort Caroline on the St. Johns River, near the site of Jacksonville, by the French in 1564, Philip II had sent the adelantado Menéndez de Avilés to found a settlement in Florida. Menéndez de Avilés, with a large colony, had reached Florida in September, 1565, and founded St. Augustine. Ten days later he had marched against the French Fort Caroline and mercilessly destroyed it. Menéndez de Avilés then had established a line of posts and settlements along the coast from Tampa Bay to Santa Elena, or Port Royal. In 1566 the adelantado had established the post of St. Catherine on the Georgia coast, which in honor of the Indian chief of that region, was called the Guale coast. A Jesuit mission was established

on the coast, but it was deserted in 1570 because of an Indian uprising instigated by French corsairs who continually harried that coast. After various fruitless attempts to renew missionary activity, and after the suppression of numerous Indian rebellions, Spanish authorities once more restored peace to the Guale coast.

The English settlers of Jamestown were advancing southward. The Indians constantly brought rumors of fair-haired strangers on horseback. Many Spanish expeditions with Indian auxiliaries were sent out in search of the intruders, but no trace of them could be found. In 1628 Pedro de Torres, with ten soldiers and sixty Guale Indians traveled four months in the back country of Georgia and Carolina, and covered two hundred leagues, but found no Englishmen. In 1661 a Spanish expedition marched all the way across Georgia to the Apalachicolas, or Lower Creeks, but still no Englishmen were encountered.[1] Although the Spaniards failed to find them, the English were on their way.

In 1628 Charles I of England had granted to Sir Robert Heath, his attorney-general, all the territory lying between the 31st and 36th parallels of north latitude and extending through from sea to sea. This grant ignored the fact that the Spaniards had permanent settlements in El Paso, Texas, and Santa Fé, New Mexico. No English settlement, however, was made under this patent. In 1663 the same territory was granted to eight of the favorites of Charles II. A second charter, issued in 1665, extended the limits to 29° and 36°30′.[2]

In 1669 the English proprietors fitted out an expedition for the settlement of their grant. Three shiploads of colonists set sail from England with orders to go by way of Barbadoes, there to receive orders from Sir John Yeamans and Mr. Thomas Colleton, and then to proceed to Port Royal, where the settlement was to be made. The expedition reached Port Royal in March, 1670. Spain immediately protested, and the two Crowns were about to go to war over the ownership of the Atlantic coast, but eventually they reached an agreement; by the treaty of 1670 Spain agreed to recognize all the lands north of Charleston, South Carolina, as legal English property, and England, on the other hand, agreed to recognize all the lands south of Charleston as Spanish territory.[3]

[1] H. E. Bolton (ed.), *Arredondo's Historical Proof of Spain's Title to Georgia*, 1-27
[2] W. Roy Smith, *South Carolina as a Royal Province, 1719-1776*, 5.
[3] *Ibid.* See also, Charles C. Jones, *The History of Georgia*, I, 67-81.

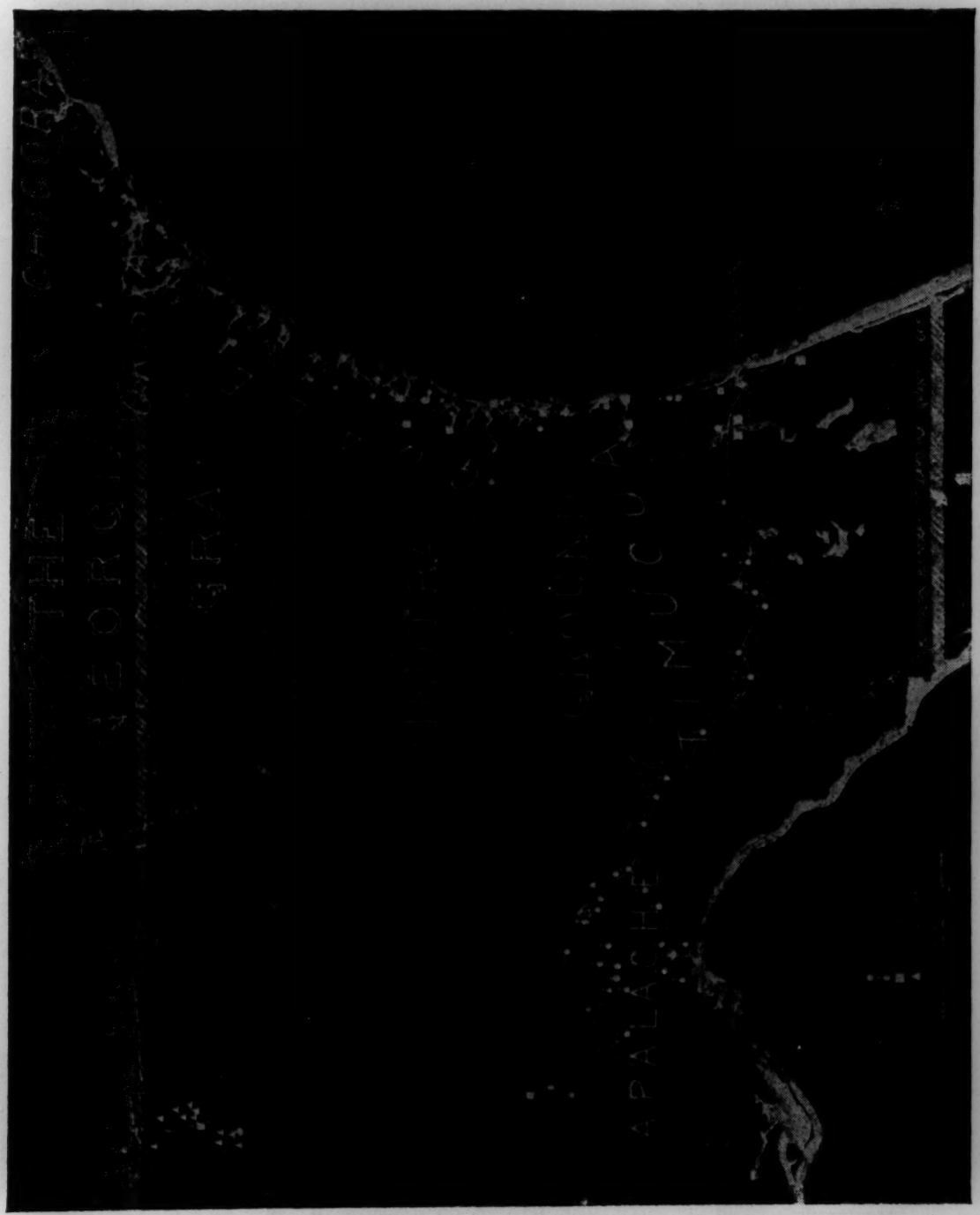
For a decade this treaty was honored by both signatories. Early in 1680, however, three hundred Indians headed by Englishmen attacked Mission Santa Catalina, about one hundred miles south of Charleston. The Spanish garrison defended itself manfully, but the Indian neophytes fled in terror. The attack was a failure, but it was the opening gun in a series of bloody combats between Spaniards and Englishmen in this area. Thenceforward to the middle of the eighteenth century, English pirates and traders on the one hand, and Spanish missionaries and gold-seeking adelantados on the other kept the territory between Charleston and Saint Augustine in constant turmoil; the Indian tribes serving as pawns first on one side and then on the other.

The country between Port Royal and San Juan, about fifty miles north of Saint Augustine, and as far west as the Apalachicola River, now became an intermittent battleground. The English early won the friendship of the Creek Indians in western Georgia, and, with their help, periodically swooped down on Spanish missions and settlements and ruthlessly destroyed them. In 1715, however, forty Creek chiefs made a peace treaty with the Spaniards. In order to strengthen English outposts, in 1721, Colonel John Barnwell was sent to build Fort King George at the mouth of the Altamaha.

Spain immediately protested the founding of Fort King George, and demanded adherence to the Treaty of 1670. Ignoring Spain's demand, however, England founded the colony of Georgia, with the Altamaha as the southern boundary. Governor Oglethorpe arrived in Georgia in 1733, and at once began a southward push. He demanded the San Juan River, only forty miles from Saint Augustine, as the southern boundary of Georgia. After much argument, a treaty was signed between Oglethorpe and Governor Sánchez, of Florida, by which it was agreed to leave the boundary settlement to the royal courts; and Oglethorpe agreed to withdraw Fort George, located only a few miles from San Juan, and not to be confused with Fort King George.[4]

An attempt was made in January, 1739, to settle the Georgia question, and as a result the Convention of El Pardo was signed. By this treaty Spain agreed to pay certain indemnities; all difficulties concerning commerce and navigation in America and Europe, and the limits of Florida and Carolina, were referred

[4] Bolton, *Arredondo's Historical Proof of Spain's Title to Georgia*, 43-68. For a full account of Oglethorpe's activities, see Jones, *History of Georgia*, I, 113-369.



The First Neutral Ground in American Territory 1739-1763.

to a joint commission. Pending a settlement, the *status quo* was to be maintained on the frontier. Before anything could be done to carry out the provisions of the treaty, however, Spain and England were fighting the War of Jenkins' Ear, which arose principally over the question of supremacy in the Caribbean trade. The war ended indecisively in 1742.[5]

In 1739 Newcastle, England's Prime Minister, proposed that "the lands to the Southward should be left entirely desert, and uninhabited by Spaniards or English."[6] The "lands to the Southward" included all the territory between the Altamaha River on the north and the San Juan River on the south. This territory, then, was the neutral ground between the English and the Spanish possessions on the Atlantic coast. Although Spain did not officially acknowledge Newcastle's "neutral ground," no effort was made to encroach upon this region before a formal treaty was made. Furthermore, the Convention of El Pardo, which guaranteed the *status quo,* was still in effect. One may say, therefore, that from the year 1739 this debatable land remained a neutral ground, only occasionally violated by one side or the other, until 1763. In that year, by the Treaty of Paris, Spain lost Florida and the boundary between English and Spanish territorial claims was fixed, thus putting an end to the neutral ground.

The idea of a neutral ground was further developed by the use of the various barriers that were set up between Spanish and American possessions. A few years after the dissolution of the first neutral ground described in the foregoing pages, the first barrier between the United States and Spain was erected. The British inadvertently sowed the seed of discord between Spain and the United States at the time of the legal birth of the United States, 1783, by signing conflicting treaties separately with Spain and the United States and by leaving the boundaries of West Florida undefined. This conflict over the true boundary caused much strife between Spain and the United States prior to the settlement effected in 1795 by the treaty of San Lorenzo. Fearful of American westward expansion, Spain endeavored to circumscribe the Americans to territory as far distant as possible from her possessions. She also used as a barrier the powerful Indian tribes occupying the territory between Spanish and American claims. Eventually, however, with the interference of the Cor-

[5] Bolton, *Arredondo's Historical Proof of Spain's Title to Georgia,* 69-97.
[6] Allen D. Candler, *The Colonial Records of Georgia,* V, 136.

sican dictator, Spain lost her most extensive barrier, Louisiana, and was compelled to retreat to the Interior Provinces, consisting of the frontier provinces of New Spain, from California to Texas.[7] The eastern portion of the Interior Provinces, Texas, joined the western section of Louisiana. Again in the case of Louisiana, as in West Florida, the boundary was not defined, and thus the seed of discord between Spain and the United States was planted. Out of this tension over the Louisiana boundary settlement developed the Neutral Ground.

Conflicting Boundaries.—Two treaties were made by Great Britain at the close of the American Revolution affecting westward expansion of the United States for more than a decade, one with the United States and the other with Spain. The definitive treaty of peace between the United States and Great Britain signed at Paris on September 3, 1783, concluded hostilities between the two signatories, but certain sections of it initiated a long period of strife between Spain and the new republic. In Article 2, the lines designating the southern boundary of the United States placed it east from the Mississippi River along the thirty-first parallel to the middle of the Apalachicola or Chatahouche; "Thence along the middle thereof to its junction with the Flint River; Thence strait to the Head of St. Mary's River, and thence down along the middle of St. Mary's River to the Atlantic Ocean.[8] Article 8 stated that navigation of the Mississippi River would be open to the United States and Great Britain from its source to the Gulf of Mexico.[9]

These two provisions were in conflict with the same subjects in the treaty drawn up on the same day between Great Britain and Spain. In this treaty no mention was made of the navigation of the Mississippi River; and, although East Florida was ceded to Spain and West Florida was retained by Spain, who had conquered it by force of arms, no boundaries were stipulated for these provinces.[10] Spain had conquered all of West Florida, which included all the territory of Natchez as far north as the parallel

[7] For a brief sketch of the historical development of the Interior Provinces, see H. B. Carroll and J. V. Haggard (eds.), *Three New Mexico Chronicles:* The *Exposición* of Don Pedro Bautista Pino, 1812; the *Ojeada* of Lic. Barreiro, 1832; and the additions by Don José Agustín de Escudero, 1849, footnote 108; and Francisco R. P. Almada, "La Commandancia de Provincias Internas," *Boletín* de la Sociedad Chihuahuense de Estudios Históricos, Vol. I, No. 2, June 1938.

[8] Hunter Miller (ed.), *Treaties and Other International Acts of the United States of America*, II, 153.

[9] "Article 8th. The Navigation of the River Mississippi, from its source to the Ocean shall for ever remain free and open to the subjects of Great Britain and the Citizens of the United States."—*Ibid.*

[10] Arthur Preston Whitaker, *The Spanish American Frontier, 1783-1795*, 10.

passing through the junction of the Yazoo and Mississippi rivers, about 32° 26′. This northern boundary to West Florida had been defined by a British order in 1764.[11] Furthermore, a separate article to the Preliminary Articles of Peace of November 30, 1782, stipulated this line as the northern boundary of West Florida,[12] thus showing British opinion as to the exact location of this boundary. Since Great Britain had lost West Florida to Spain by conquest, and acknowledged this conquest by treaty, she had no legal right to assign to the United States the privilege of navigating that section of the Mississippi River that flowed through West Florida and Louisiana, which was Spanish territory.[13]

This British boundary settlement left a contested area between Spain and the United States, lying between the parallels of 31° and 32° 26′, from the Mississippi to the Chattahoochee, which contained the heart of the Southern Indian tribes. These Indian tribes constituted a welcome barrier to American expansion, a barrier that was assiduously cultivated by Spain, and that gave her an opportunity to claim all the territory controlled by the Indian tribes, her allies.

The Indian Barrier.—For more than a decade Spain cultivated the four major Southern Indian tribes—Cherokee, Chickasaw, Choctaw, Creek—as a barrier to stem the westward flow of American frontiersmen. She claimed most of the territory inhabited by these Indians, basing her claims on the conquest of West Florida, on the Spanish treaty with Great Britian in 1783, on the subrogation by Spain of France's rights as ceded to Great Britain in 1763, on the dependence of the Chickasaw tribe on Pensacola, and on the fact that on November 22, 1780, the Spanish commandant of Arkansas had taken formal possession of the east bank of the Mississippi River for Spain.[14] The United States disputed these claims, and based her contention on the treaty of 1763, with Great Britain, which placed the territory of the Southern Indians within her boundaries. Spain claimed more than the territory lying between the 31° and 32° 26′ parallels and

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[11] *Ibid.*

[12] "Separate Article. It is hereby understood and agreed, that in case Great Britain at the Conclusion of the present War, shall recover, or be put in possession of West Florida, the Line of North Boundary between said Province and the United States, shall be a Line drawn from the Mouth of the River Yassous where it unites with the Mississippi due East to the River Apalachicola."—Miller, *Treaties and Other International Acts of the United States of America*, II, 101.

[13] Samuel Flagg Bemis, *Pinckney's Treaty*, 50.

[14] Whitaker, *The Spanish-American Frontier, 1783-1795*, 69.

the Mississippi and the Chattahoochee. She accepted the boundary of East Florida, but she then claimed that the rest of the boundary should run from the western extremity of East Florida, up the Flint River to its source, thence in a straight line to the Hiwassee River, thence down the Hiwassee, Tennessee, and Ohio rivers to the Mississippi, and thence to its source.[15] At the end of the eighteenth century the total population of these tribes was about 60,000, of which 13,000 were warriors.[16]

The Southern Indians, after 1783, found themselves pressed on one side by the Spaniards and on the other by the Americans. The Spaniards had been supplying their trade needs after a fashion for a number of years. The Americans were feared by the Indians because of the frontiersmen's desire to expand their boundaries. Furthermore, Alexander McGillivray, the most able of all Indian chiefs and a member of the Creek tribe, had taken the side of the English during the American Revolution.[17] The Choctaws, on the other hand, sided with the Americans and with Spain since Spain was aiding the Revolution.[18] Their alliance was not a welcome one, however, for the savage Choctaw warriors made little distinction between Englishmen and Americans.[19] Speaking for the chiefs of the Creek, Chickasaw, and Cherokee tribes, McGillivray, in several letters beginning in the fall of 1783 urged an alliance and treaty of friendship and commerce between the Southern tribes and Spain.

Nothing could have pleased Spain better. The apprehension she felt at American claims to the line of the 31° parallel and their insistence upon the right to navigate the Mississippi River to its mouth urged upon her the necessity of developing the Indian barrier. The suggestion of an alliance was encouraged by Don Arturo O'Neill, governor of Pensacola, who wrote to Don Estevan Miró, governor of Louisiana, "I have replied to the said Magilbery accepting in the name of His Majesty the offer made by the Creek Nations, assuring them the protection of the King, and promising at the proper time to present to you and to Mr. Maxent his petition for permission to trade until the congress convenes."[20]

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[15] *Ibid.*; see also Bemis, *Pinckney's Treaty*, 76-78.

[16] Arthur Preston Whitaker, *The Mississippi Question, 1795-1803*, 68.

[17] For a biographical sketch of Alexander McGillivray and a collection of his letters, see John Walton Caughey, *McGillivray of the Creeks*.

[18] Manuel Serrano y Sanz, *Los Indios Cherokis y Chactas en la segunda mitad del siglo XVIII*, 19.

[19] *Ibid.*

[20] O'Neill to Miró, February 17, 1784, Caughey, *McGillivray of the Creeks*, 71.

On July 14, 1784, a treaty of friendship and commerce was made between Colonel Don Estevan Miró, governor of Louisiana, and the Choctaw, Chickasaw, and Cherokee tribes. By Article 4 of this treaty, the Indians agreed to keep the peace among themselves. Article 6 stipulated, "no white man will be permitted to enter our villages, either to trade or for any other purpose, without the proper passport from the Captain General of these provinces or from the governors of Louisiana and Mobile."[21] Other articles defined trade regulations, the exchange of prisoners, the return of fugitive slaves, and the absolute prohibition of all intoxicating drinks as articles of trade.

Provision was made by Spanish authorities to supply the Indians with articles of trade. Since Spanish trade facilities were limited, a virtual monopoly on the Indian trade was given to Panton, Leslie, and Company, a British trading firm given had formerly been operating in Saint Augustine, East Florida. Their monopoly was eventually extended, mainly through McGillivray's influence, to Mobile (1789), to the Cherokee country (1792), and to Chickasaw Bluffs (1795).[22] When articles were slow in coming through this trading firm, they were furnished from the supplies kept in the government warehouses. In time, however, the British company practically monopolized the Indian trade and thus helped to hold the friendship of the Indians for Spain. By 1794 the value of this company was estimated to be $400,000.[23]

Despite the instability of Indian character, Spain managed to maintain a substantial barrier against American advance. Control of Indian trade and the friendship of McGillivray were the chief factors in its maintenance. "The Policy of your Government in Tolerating the Indian Trade in the manner it now is will not fail of having its effects in keeping up the formidable Indian Confederacy of the late War against the Americans,"[24] wrote McGillivray to O'Neill.

Notwithstanding McGillivray's positive stand as an ally of Spain, however, certain members of the Cherokee tribe made a treaty of friendship with representatives of the American Con-

[21] For the full text of this treaty, see Serrano y Sanz, *España y los Indios Cherokis y Chactas*, 82-85. A similar treaty had been made with the Creeks alone on June 1, 1784.—Coughey, *McGillivray of the Creeks*, 75-76.

[22] Caughey, *McGillivray of the Creeks*, 78.

[23] Whitaker, *The Spanish-American Frontier*, 177. For a brief account of the trading firm of Panton, Leslie, and Company, see Marie Taylor Greenslade, "William Panton," *Florida Historical Society Quarterly*, XIV, 107-129.

[24] November 8, 1785, Caughey, *McGillivray of the Creeks*, 99.

gress on November 28, 1785. This treaty was later repudiated by the Indians who claimed that they had not been adequately represented.[25] Secretary of War Knox later complained that Indian treaties were mere "scraps of wet paper."[26]

Still later, in 1790, McGillivray made a treaty with the United States government. At the invitation of Colonel Marinus Willet, who was expressly sent by President Washington for that purpose, McGillivray went to New York to negotiate a treaty of friendship.[27] The treaty was negotiated, and the articles were sent by McGillivray to the Spanish authorities for their perusal.[28]

The Spanish authorities disapproved of the treaty but bided their time. Rather than antagonize the Indians, they pretended to approve it, and later, on July 6, 1792, they made a treaty with McGillivray, by which both sides agreed that all "Americans settled on their lands under pretence of the aforesaid treaty of 1790, or any other Treaties," should be ordered to withdraw within two months.[29]

This treaty did not have the desired results. Later, that same year, Carondelet wrote to McGillivray telling him that he was persuaded "that no agreement whatever can restrain the Americans of the West from continuing their encroachments," and that he had formed the scheme of uniting the Cherokees, Creeks, Choctaws, and Chickasaws in a defensive confederation under Spain's protection.[30] The scheme was carried out, and, on October 28, 1793, a treaty was signed by Don Manuel Gayoso de Lemos for Spain and Indian chiefs representing the Chickasaw, Choctaw, Creek, Talapuche, Alabama, and Cherokee tribes. The primary purpose of this alliance was to keep Americans from settling on Indian lands and thus establishing a right to their claim of the 31st parallel as the southern boundary of the United States. The Indians agreed to establish a firm confederation among their tribes, to make no alliance with any power without the consent of Spain, and to guarantee the boundaries of their own lands. Spain, on the other hand, agreed to give the confederation full military protection, to negotiate with the United

[25] Serrano y Sanz, *España y los Indios Cherokis y Chactas*, 26.
[26] Knox to Washington, July 7, 1789, *Ibid.*
[27] McGillivray to Panton, May 8, 1790, Caughey, *McGillivray of the Creeks*, 259-262.
[28] A summary of the treaty is given in *American State Papers, Indian Affairs*, IV, 80-82. See also, McGillivray to Howard, August 11, 1790, Caughey, *McGillivray of the Creeks*, 273-276.
[29] Carondelet-McGillivray Treaty, July 6, 1792, Caughey, *McGillivray of the Creeks*, 329-330.
[30] Carondelet to McGillivray, December 14, 1792, *Ibid.*, 349.

States for a permanent settlement of the boundary question, and to deliver presents to each tribe at a designated point annually.[31]

Apparently, Spain had a formidable Indian barrier to check the advance of the western Americans. With this barrier, the restrictions on Americans with regard to the navigation of the Mississippi River, and the rivalry between the American western settlements and the Atlantic seaboard, Spain seemed to be at least temporarily secure from the threat of invasion.[32] Appearances were deceptive, however, for, in a military report submitted to the king in 1794, Carondelet stated that the Americans were forcing the Indians west and south upon the Spaniards; and he expressed the fear that, in time, the Americans would demand possession of the rich mines of the Interior Provinces.[33]

The Treaty of San Lorenzo, 1795.—The Indian barrier, so painstakingly built up by Spain since 1783, was destroyed at a single stroke by the treaty of San Lorenzo in 1795. Almost up to the year this treaty was negotiated, Spain seemed to have established a firm barrier to restrain American expansion. Treaties with the Indian confederation guaranteed Spanish sovereignty over the territory controlled by the Indians. The lucrative Indian trade was being handled by the British firm of Panton and Leslie on behalf of Spain. Since Spain controlled both banks of the Mississippi River, its navigation was virtually closed to Americans. Discontent in the American West, fomented by Spain's agents, was a factor in favor of Spanish control of westward expansion. Events in Europe, however, especially the French Revolution, suddenly caused Spain to retreat. Disorders created by the revolution made it more difficult for Panton and Leslie to obtain articles for the Indian trade; Spain was forced into an unnatural alliance with Great Britain; and, eventually, Spain was forced to make a separate peace treaty with France. The negotiation of a treaty between the United States and Great Britain in 1794 increased Spain's fears for her American possessions. The Treaty of Bâle, signed by France and Spain in July, 1795, caused Spain to prepare for the supposed fury of Great Britain because Spain had thus repudiated the Anglo-Spanish

[31] For the full text of this treaty, see Serrano y Sanz, *España y los Indios Cherokis y Chactas*, 91-92.

[32] The Mississippi question and Spain's fruitless attempts to create an independent American state in the west are not discussed in this study because these topics are deemed to be irrelevant to the development of this thesis. For an excellent exposition of these subjects, see Whitaker, The *Spanish-American Frontier*, and Bemis, *Pinckney's Treaty*.

[33] James Alexander Robertson, (ed.), *Louisiana under the Rule of Spain, France, and the United States, 1785-1807*, I, 293-345.

alliance of 1793.[34] These conditions prepared the way for the negotiation of the Treaty of San Lorenzo, by which, on October 27, 1795, Spain surrendered her Indian barrier and her claims to the exclusive ownership of the Mississippi River. It has been asserted that this treaty "marks the beginning of the disintegration of the Spanish empire as well as the first stage in the territorial expansion of the United States."[35]

By this treaty the United States acquired three major objectives: settlement of the boundary question, navigation of the Mississippi River, and control of the Southern Indians. Article II designated the boundary as a line running east from the Mississippi River along the thirty-first parallel to the middle of the Apalachicola or Chatahoochee, along the middle thereof to the Flint River, thence to the head of St. Mary's River and along its middle to the Atlantic Ocean. Article IV stipulated that navigation of the Mississippi River from its source to the Gulf of Mexico was to be open to the citizens of the United States. Furthermore, Article XXII added that Spain was to "permit the Citizens of the United States for the space of three years from this time to deposit their merchandize and effects in the Port of New Orleans." By her retreat to the Mississippi River on the west and to the thirty-first parallel on the south, Spain left about nine-tenths of the Southern Indians within the boundaries of the United States. In addition, by Article V, each nation guaranteed the other's right to "maintain peace and harmony among the several Indian Nations" living within their borders, all previous treaties with the Indians were abrogated, and the United States and Spain were "to make the advantages of the Indian trade common and mutually beneficial to their respective subjects."[36]

By this treaty Spain was compelled to retreat to a new line of defense. This new barrier consisted of Louisiana, which now lay mostly west of the Mississippi River, West Florida, extending from Baton Rouge to St. Marks on the Gulf of Mexico, and East Florida, which consisted of the peninsula east of St. Marks. This barrier, too, eventually proved too weak to withstand the lashing of the westward tide, and it fell by sections, first Louisiana, then West Florida, and lastly East Florida.

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[34] Whitaker, *The Spanish-American Frontier*, 205-209.

[35] *Ibid.*, 201.

[36] For the complete text of this treaty, see Bemis, *Pinckney's Treaty*, 391-411.

The Louisiana Purchase.—The San Lorenzo treaty was the first and widest breach in the protective wall called Louisiana. The Americans lost no time in taking full advantage of their gains by this treaty. They swarmed down the Mississippi River eager to develop their newly acquired trade route. Whereas in 1794 there were only 95 sailings from New Orleans, there were 102 in 1795 and 119 in 1799. In 1794 only 5,400 barrels of flour from the American West paid import duty at New Orleans. By 1802, 12,200 barrels of flour were sold at New Orleans for local consumption, and 70,000 barrels were deposited there for export. The movement of other commodities, such as cotton, tobacco, pelts, and whiskey, increased in the same proportion.[37] American settlers, encouraged by Spanish authorities, moved into Upper Louisiana in large numbers. Most of them enjoyed Spanish authority because it was ineffective, land grants were liberal, and they could enjoy a measure of relief from taxation. The chance for revolutionizing the American West in the interest of Spain, however, had passed away with the treaty of San Lorenzo, for the men of the western waters had now obtained an outlet for their wares, the American central government was now functioning with vigor and unity, and the Spanish authorities had demonstrated their weakness by retreating to the thirty-first parallel.

By the end of the eighteenth century Louisiana had become a useless and costly barrier in the possession of Spain. Obviously it was not checking the Americans, and the balance sheets showed a steady deficit as the cost of possessing it. These facts were recognized as early as June 22, 1796, when Godoy signed a treaty with the French Directory providing for the retrocession of Louisiana, though the treaty was rejected by the Directory.[38] A treasury report of 1797 showed that, whereas the total amount of revenues from this province amounted to $537,869—$453,064 of which came from the Mexican subsidy—the expenditures amounted to $795,662, thus leaving a deficit of $257,793.[39] In order to protect this insolvent province, therefore, more funds would have to be poured into it and military forces would have to be moved there from other sections of the empire. Spain was impoverished, and her troops were urgently needed elsewhere.

The retrocession negotiations with France started in 1796, and later suspended, were renewed in 1800. The Consulate had

[37] Whitaker, *The Mississippi Question*, 132-142.
[38] *Ibid.*, 183.
[39] *Ibid.*, 178.

supplanted the Directory, and this change was highly satisfactory to Spain. Napoleon was rapidly conquering Italy, and the Spanish royal family saw the probability of having a kingdom erected for the House of Parma. Negotiations between Spain and France for the retrocession proceeded apace and went on to a conclusion with only one slight and temporary hitch. Napoleon, at the last minute, added a demand for Florida as well as Louisiana. Upon Spain's flat refusal, however, France finally concluded the preliminary and secret treaty of San Ildefonso on October 1, 1800, by which Louisiana alone was retroceded to France.[40] By Article 3 of this treaty, the Spanish king agreed to retrocede the province of Louisiana "with the extent it has now while in Spain's possession, and which it had when France possessed it, and which it should have in view of any treaties subsequently made between Spain and other countries." This treaty was ratified by another entered into at Aranjues on March 21, 1801, and ratified on April 10, of the same year.[41]

The American Congress was not informed of the retrocession until late in 1802. By that time, however, an equally serious cause for alarm had been widely publicized. On October 18, 1802, Juan Ventura Morales, the Intendant of Louisiana, had published a proclamation closing the American deposit at New Orleans.[42] These two threats of a strong barrier to the development of the West caused the American government to bestir itself in opposition to the occupation of Louisiana by the French. After discarding certain senatorial suggestions to take New Orleans by force, Congress authorized President Jefferson to send James Monroe to France to offer two million dollars for the cession of New Orleans to the United States.[43] Monroe sailed on this, at the time secret, mission from New York on March 8, 1803, only seven days after a royal order had been issued directing the intendant at New Orleans to reopen the deposit.[44]

Monroe was seeking to purchase from France only the port of New Orleans. At that time, however, the whole province of Louisiana was about to fall in his lap. On April 10, 1803, Napoleon stated: "The English have successively taken from France,

[40] For the full text of this treaty, see Charles Oscar Paullin (editor in continuation of the work of Frances Gardner Davenport), *European Treaties Bearing on the History of the United States and Its Dependencies*, IV, 181-182.

[41] *Ibid.*, IV, 183.

[42] For a detailed account of this incident, see Whitaker, *The Mississippi Question*, 189-199.

[43] Francois Barbé-Marbois, *The History of Louisiana*, 230-246.

[44] Whitaker, *The Mississippi Question*, 231.

Canada, Cape Breton, Newfoundland, Nova Scotia, and the richest portions of Asia. . . . They shall not have the Mississippi which they covet."[45] He then added: "I think of ceding it to the United States. . . . They only ask of me one town in Louisiana, but I already consider the colony as entirely lost, and it appears to me that in the hands of this growing power, it will be more useful to the policy and even to the commerce of France, than if I should attempt to keep it."[46]

By the time Monroe reached Paris, the sale of Louisiana to the United States was underway. Napoleon had instructed Marbois to sell Louisiana, and Talleyrand had broached the subject to Livingston, the American ambassador. Monroe and Livingston continued the negotiations until the sale was closed by a treaty and conventions signed on April 30, 1803.[47] By these agreements, Louisiana was sold to the United States with the extent stipulated for it by Article 3 of the Treaty of San Ildefonso. The extent of Louisiana, as stipulated by this article, is extremely important because of its apparent ambiguity, which later caused a great deal of controversy between the United States and Spain, and eventually led to the establishment of the Neutral Ground.

The actual transfer of Louisiana was merely a formality. On November 30, 1803, Don Juan Manuel de Salcedo, governor of Louisiana, and Don Sebastián Calva de la Puerta y O'Farrill, for Spain, and the Prefect Laussat for France, ceremoniously effected the change of masters of Louisiana from Spain to France. On December 20, 1803, Governor William Charles Cole Claiborne of Mississippi Territory, and James Wilkinson, commanding the United States army in the West, took possession of Louisiana on behalf of the United States.

CHAPTER II

GEO-POLITICAL ASPECTS

I. The western boundary of the Louisiana Purchase

The loss of Louisiana was not so great a threat to the Interior Provinces of New Spain as was the undetermined western boundary of the lost province. From the earliest days of the exis-

[45] Barbé-Marbois, *The History of Louisiana*, 263.

[46] *Ibid.*, 264. Napoleon stated his policy toward the United States and England as follows: "To emancipate nations from the commercial tyranny of England, it is necessary to balance her influence by a maritime power that may one day become her rival; that power is the United States. The English aspire to dispose of all the riches of the world. I shall be useful to the whole universe, if I can prevent their ruling America as they rule Asia."—*Ibid.*, 260.

[47] For the full text of the treaty and conventions, see Barbé-Marbois, *The History of Louisiana*, 403-412.

tence of the United States, the Spaniards had believed that the young American republic, despite its democratic and pacific doctrine, had been born with an imperialistic complex. Hence the Spanish frantic efforts to encircle the United States with obstacles to expansion.[1] Their belief would have been strengthened had they known that, as early as 1786, Thomas Jefferson had expressed the desirability of obtaining Louisiana from Spain in due course of time.[2]

The Spaniards held two opposite views about the worth of Louisiana as a barrier. One view was that, "The province of Louisiana . . . formed, in the possession of Spain, an effective barrier to its Mexican dominions against the people of the United States living west of the Appalachian mountains, and who were extending daily with marvelous progress in all directions."[3] The other view was that, "As a military post, or as a barrier, [Louisiana] was too extensive and too weak for us to attain our object."[4]

Notwithstanding the conflicting views as to the value of Louisiana, Spain was greatly concerned over American claims to the westward extent of the province. France had transferred Louisiana to the United States "with the extent" it had had when France possessed it [prior to 1762] and that it had in the hands of Spain [1800]. The United States, led by Thomas Jefferson, claimed that the province prior to 1762 had included all the territory east of the Rio Grande. Spain, on the other hand, maintained that Louisiana never had extended to that river. Claims and counterclaims were advanced, and a show of force was made by both sides in their effort to uphold their claims, but eventually a temporary agreement was reached, and the boundary was not definitely settled for many years after the Louisiana purchase.

American and Spanish Claims.—Delimitation of the western boundary for Louisiana at the time of the transfer was, and still is, a moot question. In view of the vague boundaries assigned to Louisiana by France, immediately after its acquisition rep-

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[1] Serrano y Sanz, *España y los Indios Cherokis y Chactas*, 62.

[2] Thomas Jefferson wrote: "We should take care, too, not to think it for . . . [our] interest . . . to press too soon on the Spaniards. Those countries [i. e., Louisiana and West Florida] cannot be in better hands. My fear is, that they are too feeble to hold them till our population can be sufficiently advanced to gain it from them, piece by piece. The navigation of the Mississippi we must have. This is all, as yet, we are ready to receive."—Thomas Jefferson to Archibald Stuart, January 25, 1786, Albert Ellery Bergh (ed.), *Writings of Thomas Jefferson*, V, 259-260.

[3] Vincente Folch [and James Wilkinson], "Reflections on Louisiana," Robertson, *Louisiana under Spain, France, and the United States*, II, 325.

[4] *Ibid.*, II, 70.

resentatives of the United States government defined all its boundaries as extensively as they dared. Thomas Jefferson, in a brief monograph, argued that "The boundaries of Louisiana then, as held by France, were the sea-coast & islands from the river Perdido to the Rio Norte or Bravo, then up the Rio Bravo to its source."[5] As the result of research carried on in his spare moments, Jefferson cited a formidable array of documentary proof to show that the Rio Grande had been the western boundary of Louisiana since LaSalle's temporary settlement of Texas in 1684. He consistently maintained this position for many years after the transfer. In 1816 he wrote, "The western boundary of Louisiana is, rightfully, the Rio Bravo, (its main stream) from its mouth to its source, and thence along the highlands and mountains dividing the waters of the Mississippi from those of the Pacific." His reason was that, "when LaSalle took possession of the Bay of St. Bernard, Panuco was the nearest possession of Spain, and the Rio Bravo the natural half way boundary between them."[6]

Jefferson's views were advocated by many other statesmen and by an imposing list of historians,[7] though little evidence of consequence was added to Jefferson's original proof. Henry Adams did add certain proof that purported to be the conclusive evidence to show that Texas had been part of Louisiana.[8] This proof consisted of unpublished secret instructions issued on November 26, 1802, by the French Minister of Marine to General Victor, who was to take possession of Louisiana for France. These instructions directed him to take possession of all the territory west to the Rio Grande. The force of this evidence, however, was aptly dissipated by a latter historian who, after presenting his argument, concluded by stating: "Mr. Adams has proved nothing more than that France, under the Treaty of Ildephonso, intended to claim Texas as part of Louisiana; he has

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[5] Thomas Jefferson, "The Limits and Bounds of Louisiana," and William Dunbar, "The Exploration of the Red, the Black, and the Washita Rivers," in *Documents Relating to the Purchase and Exploration of Louisiana*, 31-32.

[6] Thomas Jefferson to Mellish, December 31, 1816, in Binger Hermann, *The Louisiana Purchase and Our Title West of the Rocky Mountains*, 15. It might be pointed out here that, before Jefferson prepared his essay on the boundaries of Louisiana, he had casually made the statement, that "The *unquestioned* bounds of Louisiana are the Iberville and Mississippi, on the east, the Mexicana [Sabine] on the west."—Paul Leicester Ford (ed.), *The Works of Thomas Jefferson*, VIII, 261-263.

[7] A few of these statesmen were: Madison, J. Q. Adams, Clay, Monroe, Polk, and Benton. See J. R. Ficklen, "Was Texas Included in the Louisiana Purchase?" *Southern History Association Publications*, V, 351-387. A few of the historians are: Louis Houck, McMaster, Henry Adams, Edward Channing, James O. Broadhead, Edward L. Berchoud, and Binger Hermann.

[8] Henry Adams, *History of the United States*, II, 33-35.

not proved that this claim was valid or that Spain so regarded it. Interpretation of treaties must be mutual."[9]

Jefferson's views have been opposed by historians equally as competent as those who advocated them. Even should one, on the basis of national prejudice, exclude such competent Spaniards as Don Luis de Onís, the Spanish ambassador to the United States, who concluded the definitive boundary treaty, and Father José Antonio Pichardo, who wrote a voluminous argument to prove that Texas had always been regarded as Spanish territory, many American scholars have maintained that Texas was not part of Louisiana at the time of the purchase.[10] Just as Jeffersonian views were fortified with maps and decrees, the opposition brought forth an equally impressive number of maps—especially the Vaugondy map of 1762—to show that Texas, at the time of the cession by France to Spain, in 1762, was acknowledged by France to be a Spanish province. Furthermore, the opposition could show that Spain was in actual occupation of Texas from 1716 to 1762, and that France had recognized such occupation as legitimate.

Sometime prior to the year 1734, the French moved their post at Natchitoches from the east to the west side of Red River. Captain Don Manuel Sandoval, at that time governor of Texas, did not protest the westward move of the French. For his apparent negligence, the Spanish governor was later seriously charged by the king's attorney. No effort, however, was made to dislodge the French from what appeared to be Spanish territory.

The question of whether or not the French were actually in Spanish territory came up from time to time. In 1740, in 1744, and 1751 Spanish governors were ordered to investigate the matter. In nearly every instance a great deal of confusion seemed to be found in regard to the exact boundary between the territory of the Spanish and French monarchs. In 1753, the governor of Texas, Don Jacinto de Barrios y Jáuregui, instituted a determined investigation of the whole matter, and the majority of his witnesses testified that the French were trespassing on Spanish territory. A report to this effect was then sent to the Spanish attorney-general.

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[9] Ficklen, "Was Texas Included in the Louisiana Purchase?" *loc. cit.*, V, 384.

[10] Among them one may cite: John R. Ficklen, Frank Bond, H. H. Bancroft, H. K. Yoakum, and I. J. Cox. See also Charles Wilson Hackett (ed.), *Pichardo's Treatise on the Limits of Louisiana and Texas* (Translated by C. W. Hackett, C. C. Shelby, and M. R. Splawn).

Bermudes
Tropique
Lucayes
Isles
Antilles
Labrador
d'Hudson
Nouveau Mexique
Mexique
Floride
Californie
Vermeille
Mer du Sud
Decouvertes du Roy

After studying the previous history of the case and reviewing all available evidence, the Spanish attorney-general was of the opinion that the governor of Texas was mistaken and that the French were still within their boundaries. The new site of the French post of Natchitoches, the attorney-general opined, was still two and one-half leagues east of the line dividing Spanish from French territory. This line, according to him, was the Arroyo Hondo, or Gran Montaña, as it was also called, which was likewise two and one-half leagues from the Spanish port of Los Adaes.[11]

This dispute with regard to the transfer of the post of Natchitoches from the east to the west side of Red River shows that the western boundary of Louisiana had been under consideration between the Spanish and French authorities long before the same question came up because of the transfer of 1803. At the time of this dispute, however, the territory in question was a strip lying between Arroyo Hondo and Red River, since all that land west of Arroyo Hondo was acknowledged to be of Spanish ownership. And, of course, the Rio Grande did not even enter into the discussion as it was many miles west of the Medina River, which was the western boundary of Texas.[12]

Spanish authorities persistently maintained that the Arroyo Hondo was the eastern boundary of the Province of Texas. When Don Nemesio Salcedo, commandant general of the Interior Provinces, was asked the extent of the eastern boundary of Texas, he stated that "the boundaries of this captaincy general in that part have been reckoned from the coast lying between the mouths at the sea of the Caricut or Carcasiu [Calcasieu] River, and that named Armenta or Mermentao in a straight line through the vicinity of the post of Natchitoches to the Red River."[13]

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[11] Dictámen del Real Acuerdo y Decreto, January 22, 1745, San Francisco el Grande, Vol. XV, pp. 148-185 (Photostatic copies in the University of Texas). This entire volume gives a thorough discussion of this boundary dispute.

[12] It was later argued that, as a result of this dispute, "Spain sent engineers, who, together with the French engineers, betook themselves to the Spanish fort, which was established one league in the interior, on the right shore of the Red River. It was determined there, that the fort would be the point whence a line should be drawn south to the sea. Consequently a line was run due south, and cutting the mouth of Bayou Bleu, to the seashore. This very costly and extended line was marked, and now trees, on which the visible marks or plates will show the true position of that boundary, may still remain." This excerpt was taken from "Observations in Regard to the Boundaries between the District of Nacogdoches and Louisiana When France Owned the Latter," attached to a letter from Manuel de Salcedo to the Prince of Peace, December 13, 1803, printed in Robertson, *Louisiana under Spain, France, and the United States*, II, 150-156.

No evidence, however, has been found to support this statement, which, if true, would definitely show that France and Spain had at one time, prior to the transfer of Louisiana to Spain in 1762, jointly fixed the line dividing Texas from Louisiana.

[13] Nemesio Salcedo to Casa Calvo and Manuel de Salcedo, September 26, 1803, in Robertson, *Louisiana under Spain, France, and the United States*, II, 139-140.

Spain's national policy with regard to the questioned western boundary of Louisiana was set forth by the Prince of the Peace. Spain's claim was to include in the Province of Texas "all the territory to the well-known boundary of the Caricut River in its entire course and the presidio of Los Adaes." Spain was to attempt to define the boundary by a line running from the Red River, passing through Los Adaes and Natchitoches, down to the seacoast as close as possible to the Red River.[14]

Neutral Ground Proposals.—Because of the widely divergent views of Spain and the United States with regard to the western boundary of Louisiana, a compromise had to be sought. The readiest method suggested to both contestants was a strip of neutral territory to lie between them for a number of years pending a satisfactory agreement. In this respect Spain made the first move, though the fact was not made public.

Early in March, 1804, the Committee on the Fortification and Defense of the Indies met to consider the question of the western boundary of Louisiana. The history of the case was carefully reviewed and special attention was given to the correspondence of Don Nemesio Salcedo, commandant general of the Interior Provinces, particularly his letter of September 26, 1803,[15] relative to this matter. The claim of the United States to the Rio Grande as the western boundary was promptly rejected. Consideration was only to the narrow strip of land lying between these limits: the Sabine on the west, and on the east a line running between the Calcasieu and Mermenteau rivers, so as to pass between Los Adaes and Natchitoches. With regard to this strip, the Committee suggested that, "if the commissioners of both powers should agree to make this strip of territory a Neutral Ground of a certain number of leagues in width, this procedure would contribute much to hold this boundary more securely and to prevent in future the indispensable disputes and quarrels caused by fraudulent usurpation by neighbors."[16] It is doubtful whether this suggestion ever reached the authorities of the United States for, with regard to the marking of the boundary, "the Generalissimo would perfer to have the true limits shown by a simple straight or curved line rather than by a strip of our territory lying between the possessions of both nations."[17]

[14] Madrid, April 6, 1804, MS., Bexar Archives.

[15] Robertson, *Louisiana under Spain, France, and the United States*, II, 139-145.

[16] Opinion of the Committee on Fortifications and Defense of the Indies, March 17, 1804, in Archivo General de Mexico, Provincias Internas, Vol. 200, pp. 243-244 (Hackett Transcripts).

[17] Don Antonio Samper, Chief of the General Staff, to the Committee on Fortification and Defense of the Indies, Madrid, April 6, 1804, MS., Bexar Archives.

The first proposal of a Neutral Ground by the United States came from James Madison, Secretary of State.[18] In his instructions to James Monroe, on April 15, 1804, he suggested that Monroe might propose to the Spanish government that "the western side of the Mississippi shall not be settled for a given term of years, beyond a limit not very distant form that river, leaving a spacious interval between our settlements and those of Spain."[19]

A few months later, Madison made a more specific proposal for a Neutral Ground. On July 8, 1804, he urged James Monroe and Charles Pinckney to suggest to the Spanish representative the establishment of a strip of territory between the Rio Grande and the Colorado River as a Neutral Ground.[20] In pursuance of his instructions, Monroe and Pinckney, on January 28, 1805, presented a project of a convention between the United States and Spain to Don Pedro Cevallos, Spanish minister of foreign affairs. Article 2 of this convention stipulated that, for a period of years, no land was to be granted, and no one whose grant was made after October 1, 1880, was to remain in a space defined by the Colorado River on the east and by the Rio Grande on the west.[21]

The convention proposed by the American commissioners was rejected by Don Pedro Cevallos. In his reply, dated January 31, 1805, he stated that he believed the points under consideration between Spain and the United States should be treated

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[18] It is possible that Madison developed the idea of a Neutral Ground from Jefferson's statement about the territory west of the Missouri and Mississippi rivers which, he stated, "will probably be locked up from American settlement, and under the self government of the occupants." This suggestion is made in a positive statement ["this is the first suggestion of a neutral ground."] by T. M. Marshall, *A History of the Western Boundary of the Louisiana Purchase, 1819-1841*, 10.

[19] *American State Papers, Foreign Relations*, II, 628. An imaginary map of this proposed Neutral Ground may be found in Marshall, *A History of the Western Boundary of the Louisiana Purchase*, 31.

[20] *American State Papers, Foreign Relations*, II, 630-631. A shaded map showing the approximate location of this territory is given in Marshall, *A History of the Western Boundary of the Louisiana Purchase*, 32.

[21] Article 2. It is agreed that, for the term of ..... years, no land shall be granted; nor shall persons who may have settled since the 1st of October, 1800, on lands not granted prior thereto, be permitted to continue within the space defined by the following limits, to wit: by a limit, consisting of the river Colorado on the one side, from its mouth to its source; thence, a straight line to the most southwestwardly source of the Red River, with such defluctions, however, as will head all the waters of the river; thence, along the ridge of the high land which divides the waters belonging to the Mississippi and Missouri from those belonging to the Rio Bravo; and thence, a meridian to the northern boundary of Louisiana; and by a limit, on the other side, of the Rio Bravo, from its mouth to its source; and thence, a meridian to the northern boundary of Louisiana.

Such of the settlements within the foregoing limits, not prohibited by the preceding clause, as were not under the authority of the government of Louisiana, shall continue under the authority of Spain. Such as were under that authority shall be under the authority of the United States. But the parties agreed that they will, respectively, offer reasonable inducements, without being obliged to use force, to all such settlers to return from the space above limited, and establish themselves elsewhere.—*American State Papers, Foreign Relations*, II, 638.

separately. This letter, as well as others that followed, concluded with the assurance that His Majesty was extremely desirous of an amicable settlement with the United States.[22]

Diplomatic notes continued to pass back and forth between Pinckney and Monroe on one side and Cevallos on the other, but without any prospect of a settlement. The arguments first enunciated by Jefferson for claims to the Rio Grande were advanced by Pinckney and Monroe, and promptly rejected by Cevallos who was obdurate in his claim to the line defined by the king. In an effort to conclude the negotiations, Pinckney and Monroe, on May 12, 1805, stated what they called "the ultimate conditions" on which they were authorized to discuss the points pending between the two governments. On condition that His Catholic Majesty should cede the territory eastward of the Mississippi, the American envoys stated,

> . . . we will make the Colorado the boundary between Louisiana and Spain, by a line to be run in the manner proposed in the project which was presented on the 28th January last, the United States ceding all rights to any territory westward of that line; we will establish a district of territory of thirty leagues on each side of that line, or on the American side only, if preferred by Spain to be run from the Gulf of Mexico to the northern boundary of Louisiana, which shall remain neutral and unsettled forever; . . .[23]

This proposition, too, was rejected by Spain; and, therefore, the negotiations were inconclusively ended. Monroe took leave of Spain and returned to his post in London, and the two envoys jointly sent a report to Secretary of State Madison informing him of their failure to reach a settlement with Spain.[24]

The American claim to the Rio Grande was gradually being relinquished. Even the Colorado River, however, was still considered by Spain to be too far to the west to permit a settlement of the boundary question. After negotiations had been broken off, Albert Gallatin, Secretary of the Treasury, in a letter to President Jefferson, suggested a further retreat by the United States to the east from the Rio Grande. "The claim of the United States is not evident", he stated, "and rests for the west on the accidental landing of LaSalle at St. Bernard, and on the French establishment of the Mississippi being proir to those of

[22] *Ibid.*, II, 639-640.
[23] *Ibid.*, II, 665.
[24] Messers. Monroe and Pinckney to Madison, May 23, 1805, *Ibid.*, II, 667-669.

Spain east of the Rio Norte." Then he added: "It is not presumed that the last object (the west boundary) shall by any one be considered as a subject of war. To me the claim has always appeared doubtful."[25] In view of this doubtful claim, Gallatin suggested that an ultimatum with terms subject to further consideration should be prepared and sent to American ministers in Paris and Madrid, and, he added,

> I will say that I would think it for the interest of the United States, and no improper relinquishment of their rights, to take the Sabine and Perdido for boundaries on the sea-shore, including always within Louisiana all the waters of the Mississippi.[26]

Further on in the same letter, Gallatin proposed the establishment of a Neutral Ground to lie between the Mermenteau or Calcasieu, at Spain's choice, on the east, and the Colorado on the west.

President Jefferson was not ready to give up altogether his claim to the Rio Grande. He did make a concession by deciding, at a Cabinet meeting on November 14, 1805, that the Colorado River and the Rio Grande should remain unsettled for thirty years from the date of the treaty.[27]

Negotiations with Spain were again resumed early in 1806. On March 13, of that year, Madison sent a statement to the American envoys in Paris, Armstrong and Bowdoin, setting forth a project for the boundary settlement. In the project he suggested several Neutral Ground strips which, he stated,

> . . . are to be successively yielded according as Spain may be willing to cede therefor her territory eastward of the Mississippi, or to abate in the sum of money to be paid for East Florida, or to be liable in her engagements and provisions for indemnifying our citizens.[28]

The western boundary, as Madison suggested it, was to be

> . . . the Colorado (or the Guadalupe, if attainable) from its mouth to its most northerly source; thence, a right line to the nearest high lands, enclosing all the waters running directly into the Mississippi or Missouri, and along the high lands as far as they border on the Spanish dominions.[29]

Article 4 of this project suggested that a space extending thirty leagues on each side of the proposed boundary, or a space thirty

[25] Henry Adams (ed.), *The Writings of Albert Gallatin*, I, 241.
[26] *Ibid.*, I, 247.
[27] Ford, *The Works of Thomas Jefferson*, X, 180.
[28] *American State Papers, Foreign Relations*, III, 541.
[29] *Ibid.*

leagues on the side of the United States only, should be kept unsettled by the high contracting parties for an unspecified term of years. If this was not acceptable, a space between the proposed boundary and some boundary beginning with a river eastward of the Colorado and westward of the Sabine was to be suggested. And, finally, he suggested a Neutral Ground between the proposed boundary and the Sabine River.[30]

Again negotiations failed. Napoleon was looking forward to the occupation of Spain, which he accomplished in 1808. He suggested to the American envoys that if the United States declared war on England and made an alliance with France, he would intervene with Spain to obtain the Floridas and a convenient western boundary. This offer was rejected by the United States, and negotiations with Spain for the settlement of the boundaries of Louisiana were not resumed until after Waterloo.

II. *Organization of the Neutral Ground*

Although diplomatic negotiations between the United States and Spain failed in 1805 and again in 1806, the local authorities continued to press their varying claims to a western boundary for Louisiana. Fearful lest the Americans would advance beyond the Sabine into Texas, the Spaniards mobilized a considerable force from interior garrisons and moved them to east Texas to strengthen their posts on the frontier. In their zeal for the service of the king, local Spanish officers reestablished advanced posts and patrols east of the Sabine. Mistaking the Spanish moves for an invasion of Louisiana, and claiming jurisdiction westward to the Sabine, American officers mobilized their forces along their frontier. Fortunately for both countries, before actually clashing, the commanders of the two armies entered into a temporary agreement that created the Neutral Ground.

Attempts to Enforce Opposing Claims.—The alarming demands of the United States for territory considered by the Spaniards to lie within their king's dominions caused Don Nemesio Salcedo, commandant general of the Interior Provinces, to call on the viceroy of New Spain for aid. He pointed out that emissaries were being sent westward by the United States to explore and to distribute presents among the Indian tribes. He cited especially the case of Captain Meriwether Lewis, who was

[30] *Ibid.*, III, 540.

leading an expedition provisioned for three years up the Missouri. He added that he had ordered the governor of New Mexico to be on the alert, and the energetic governor of Coahuila, Don Antonio Cordero, to take command of Texas, whose governor was extremely ill. He stated that he had asked the governor of New León and New Santander for two hundred men, but only seventy had arrived in San Antonio. He asked for more men and one thousand firelocks with which to arm the settlers.[31]

In response to these pleas for aid, the viceroy ordered certain viceregal troops to march to Texas, and governors of other Interior Provinces also sent reinforcements to the threatened frontier. The regular garrison of the entire Province of Texas consisted of seven hundred regulars. By March, 1806, however, the number had been increased to eight hundred one.[32] The following month a company of thirty-six men was recruited in San Antonio de Bexar.[33] By the second week in June, 1806, the total strength of Texas garrisons had been raised to one thousand seven men. Of this number, three hundred forty were posted in Nacogdoches, and five hundred forty-three were on their way from San Antonio to the Louisiana frontier.[34] The peak of Texas's military strength was reached during the crisis of November, 1806, when the total of twelve hundred seventy-three men was reached. Of this number, however, only eight hundred eighty-three were stationed in Nacogdoches.[35]

Soon after his arrival in Texas, Don Antonio Cordero proceeded to strengthen the eastern boundary of Texas. He ordered thirty men to patrol the upper part of the eastern boundary. One corporal and nine men were to be stationed at Bayou Pierre, and twenty men and one officer were to be posted on the Barr ranch at a creek called La Nana. The party at La Nana was to patrol daily the territory as far as Arroyo Hondo and up as far as Los Adaes. One corporal and four men were to be posted between the Sabine and the Calcasieu, but they were not to cross the Calcasieu, which Governor Cordero considered as the lower eastern boundary of Texas.[36] A few days later these orders were carried out.[37]

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[31] Nemesio Salcedo to José Yturrigaray, October 2, 1805, *Carpeta* No. 2, June 22, 1804, pp. 29-34, MS., Bexar Archives.
[32] Army Report, March 26, 1806, MS., Bexar Archives.
[33] List of soldiers in the Texas Squadron, April 8, 1806, MS., Bexar Archives.
[34] Army Report, June 12, 1806, MS., Bexar Archives.
[35] Army Report, November 27, 1806, MS., Bexar Archives.
[36] Antonio Cordero to Sebastián Rodríguez, October 16, 1805, MS., Bexar Archives.
[37] Sebastián Rodríguez to Antonio Cordero, November 4, 1805, MS., Bexar Archives. See also, Diary of Don Joaquín Saenz, November 2-28, 1805, MS., Bexar Archives.

These preparations were not sufficient to allay Spanish nervousness over rumors of an imminent invasion by the Americans. It was rumored that the Americans were sounding the feelings of the inhabitants of Natchitoches in case of war with Spain.[38] This rumor had a true foundation, as it was believed in Natchitoches by American authorities that

> . . . the intrigues of Spanish priests at Natchitoches had tended to weaken allegiance of citizens by giving currency to the opinion that they would soon become Spanish subjects and excited a hatred towards the American Government by saying it afforded no protection to religion.[39]

It was also rumored that the actions of the American government were directed to extend its boundaries to the left bank of the Rio Grande. One rumor that certainly was unfounded, as later events proved, was that "the increase of troops in the Province of Texas and other precautions taken on our part to defend that territory has calmed the haughty tone with which the Americans proclaimed their right to advance their borders to the Rio Grande."[40]

Encouraged by the increasing number of troops and by the rumors that the American government was not well prepared for hostilities, Don Antonio Cordero, late in December, 1805, ordered the detachment stationed at La Nana to advance closer to Arroyo Hondo. He had previously issued a similar order to Don Sebastián Rodríguez, commandant of the frontier, but it had not been carried out. Now he urged its execution in preparation "for any further development."[41] In compliance with this order, Don Sebastián Rodríguez set out from Nacogdoches on January 12, 1806, to reconnoiter the territory between La Nana and Arroyo Hondo to move the patrol closer to the boundary.[42] Having thoroughly explored that territory, he posted the La Nana detachment "at the headwaters of Juan Mora's lagoon, four leagues from Arroyo Hondo, and about one league on the other side of the presidio of Adaes."[43]

The Americans were not ignorant of Spanish troop movements. Captain Edward Turner, second regiment infantry, stationed at Natchitoches, acquired much information from

[38] This rumor was due mainly to a deposition made by Louis Tontin, a former subject of Spain living in Natchitoches.—Nemesio Salcedo to José de Yturrigaray, December 3, 1805, MS., Bexar Archives.

[39] Claiborne to Madison, June 5, 1805, MS., Territorial Papers, Orleans, Department of State, Washington, D. C. (Microfilm copy in the University of Texas Library).

[40] Nemesio Salcedo to José de Yturrigaray, December 3, 1805, MS., Bexar Archives.

[41] Antonio Cordero to Sebastián Rodríguez, December 27, 1806, MS., Bexar Archives.

[42] Sebastián Rodríguez to Antonio Cordero, January 13, 1806, MS., Bexar Archives.

[43] Sebastián Rodríguez to Antonio Cordero, January 29, 1806, MS., Bexar Archives.

Spanish settlers at Natchitoches and from travelers. Doctor John Sibley, Indian agent stationed at Natchitoches, obtained valuable details from border Indians. All this information was conveyed to Governor W. C. C. Claiborne, and by him it was relayed to the Secretary of War.[44]

The Spanish detachment had hardly pitched its tents at Juan Mora's lagoon, when a Lieutenant Piatt arrived in Nacogdoches with a letter from Major Moses Porter, military commandant at Natchitoches, to Captain Sebastián Rodríguez, the Spanish officer in charge of Nacogdoches. In this letter Major Porter asked the Spanish commandant "that all troops of Spain at present on this [side] of the Sabine be withdrawn immediately, and that they will never be permitted again to take possession of or to patrol any territory on this side of the Sabine."[45] The Spanish commandant made a translation of the letter and forwarded it to Governor Cordero. At the same time he wrote a letter to Major Porter in which he stated that he had orders that prevented compliance with the Major's request; and that, therefore, he would maintain his advance posts where they were stationed, and that he would continue to patrol the territory as far as Arroyo Hondo.[46]

Great excitement now prevailed west of the Sabine. A few days after forwarding Major Porter's letter to Governor Cordero, Don Sebastián Rodríguez issued a proclamation in Nacogdoches stating that "the United States, full of greed and pride, is attempting to seize from our sovereign that part of this province lying between the well-known boundary and the Sabine River." He asserted that the United States had declared war on Spain, and urged all the settlers to take up their arms and repel the invader.[47] In San Antonio Governor Cordero was equally excited. He forwarded Major Porter's letter to Don Nemesio Salcedo, adding that "everything points to a declaration of war." He then explained that he was divesting himself of all extraordinary duties in order to proceed to the frontier in person and direct the military defense of the province.[48]

When Major Porter received Rodríguez's reply, he wasted little time in enforcing his request to have Spanish patrols moved

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[44] Claiborne to Secretary of War, August 11, 1805, Dunbar Rowland (ed.), *Official Letter Books of W. C. C. Claiborne, 1801-1816*, III, 162-164. See also, *American States Papers Foreign Relations*, II, 690-695.

[45] Translation of Major Porter's letter by Don Sebastián Rodríguez, January 30, 1806, MS., Bexar Archives.

[46] Sebastián Rodríguez to Major Moses Porter, Jaunary 30, 1806, MS., Bexar Archives.

[47] Proclamation by Captain Sebastián Rodríguez, February 2, 1806, MS., Bexar Archives.

[48] Antonio Cordero to Nemesio Salcedo, February 4, 1806, MS., Bexar Archives.

west of the Sabine River. He immediately detached Captain Edward Turner with sixty men to remove the party of Spaniards that had been stationed at Juan Mora's lagoon, about one league east of Los Adaes.[49] In obedience to the Major's orders, Captain Turner marchèd toward Los Adaes on February 5, 1806, and, at half-past eleven that morning, arrived in front of the Spanish post. When the Spanish officer in command demanded the reason for Turner's invasion of His Majesty's territory, Turner ordered him to retreat across the Sabine River. After much haggling, the Spanish patrol slowly retreated before Turner's detachment. The next day, Captain Turner marched toward the Sabine and overtook the Spanish patrol. The Spanish commandant made the excuse for his slow march that his horses were so poor that he could not move any faster. Captain Turner again warned him to cross the Sabine, and made him sign a statement to the effect that he would cross the Sabine within six days and that he would send no more patrols east of that river.[50]

While retreating toward the Sabine, the Spanish officer sent a special courier to Captain Rodríguez in Nacogdoches. He reported that one hundred fifty Americans—there were actually only sixty—had fallen upon him at Conichi ranch and threatened to fire on the Spanish detachment with two cannon unless they retreated across the Sabine. He explained that he had been compelled to retreat by the overwhelming American superiority in numbers and equipment; he had eighteen men, but five of them were without arms.[51]

When Governor Cordero received the news of the American advance, he ordered Captain Rodríguez to plan an attack on the Americans, if they were found west of Arroyo Hondo. He added that he would soon arrive to take charge of the attack, and that he was sending seventy men from Bexar as reinforcements. At the same time, in a confidential order, he instructed him to publish a proclamation before the troops and settlers urging them to prove "your ample courage, your daring, your close adhesion to the religion which you profess, and your deep affection for our sovereign."[52] Then Governor Cordero sent a special courier

[49] Major Porter to the Secretary of War, February 8, 1806, *American State Papers, Foreign Relations*, II, 798.

[50] E. D. Turner to Major Moses Porter, February 6, 1806, *American State Papers, Foreign Relations*, II, 799.

[51] José María González to Captain Sebastián Rodríguez, February 5, 1806, MS., Bexar Archives.

[52] Antonio Cordero to Sebastián Rodríguez, February 13, 1806, MS., Bexar Archives.

to Don Nemesio Salcedo reporting his instructions to Captain Rodríguez and adding, "I have been urging an attack upon the Americans who have crossed the well-known boundary, and their partial or total destruction."[53]

The frantic preparations and excitement of Governor Cordero were emphatically berated by Commandant General Salcedo. From his capital in Chihuahua, removed by nearly a thousand miles from the Louisiana frontier, the commandant general could view the border activity with calm and deliberation. After acknowledging receipt of reports about the American advance to Conichi and the retreat of the Spanish patrols, he reviewed previous orders of the Governor of Texas, and blamed the governor's hasty actions for American hostility. He pointed out that on December 5, 1805, the governor had ordered Captain Rodríguez to change the location of the La Nana post to Los Adaes, and that on the 27th of the same month the governor had repeated this order. Because of these instructions, Captain Rodríguez moved the La Nana post eastward beyond Los Adaes to a place known as Conichi. It was this advance patrol, he added, that had been forced to retreat across the Sabine River by the Americans. "These facts completely dispel the suspicion that the American government is attempting to start hostilities, and changes the aspect of the matter," he stated. He ordered the governor to change everything to its former state in order to avoid an armed clash.

The commandant general then implied a suggestion for a Neutral Ground. He ordered Governor Cordero to write an official letter to the American commandant at Natchitoches stating that there were no documents in the captaincy general to show that the territory lying between the Sabine River and the Arroyo Hondo belonged to the United States. On the contrary, he pointed out, royal orders existed which showed that the territory in question belonged to Spain. Therefore, in view of Captain Turner's advance to Conichi, Spanish authorities could not permit any American troops to establish posts within that territory. At the same time, all Spanish troops would be kept where they were prior to the recent upheaval.[54]

Further disapproval of the unnecessary excitement on the frontier was expressed by the commandant general a few days

[53] Antonio Cordero to Nemesio Salcedo, February 18, 1806, MS., Bexar Archives.
[54] Nemesio Salcedo to Antonio Cordero, February 24, 1806, MS., Bexar Archives.

later. He ordered Captain Sebastián Rodríguez relieved of his command "because of his extravagant ideas, his lack of tact, and his rash decisions." He stated that many of Captain Rodríguez's remarks should not only be ignored but they should be completely forgotten, "because they are opposed to good faith, insulting, and provoking to a state of war for which there is no declaration or authority."[55] A few days later he had Captain Rodríguez court-martialed on various counts, but especially on his failure to prevent the disgraceful Conichi incident.[56]

This brief period of excitement was merely a prelude to more decisive action. It served also to emphasize the Spanish claim to Arroyo Hondo and the Calcasieu River as the eastern boundary of Texas and the American claim to the Sabine as the western boundary of Louisiana. Both Spanish and American authorities agreed to maintain the *status quo*. The American troops that dislodged the Spanish patrols from Conichi returned to Fort Claiborne, about two leagues east of Arroyo Hondo.[57] The Spaniards acknowledged the fact that the Americans were determined not to let any Spanish troops remain east of the Sabine, but they left the Bayou Pierre and La Nana detachments at those points to test American determination.[58]

As subsequent developments showed, the *status quo* had exactly the same meaning to both the Spanish and American authorities but a varying interpretation. Both contestants agreed to permit no settlement or military post to be established within the territory lying between the Sabine River and Arroyo Hondo pending a permanent settlement by the diplomatic representatives of each nation. The Spaniards already had some settlement in this disputed territory, and they intended to leave them there and to garrison them. The Americans were of the opinion that no Spanish garrison should be maintained east of the Sabine River. Each side, however, asserting rightful ownership, claimed exclusive jurisdiction over this strip of territory.

The Neutral Ground Agreement.—Spanish and American authorities were determined to maintain the *status quo* in the territory lying between the Sabine River and Arroyo Hondo. Furthermore, the commandant general was firmly convinced that

[55] Nemesio Salcedo to Antonio Cordero, March 2, 1806, MS., Bexar Archives.
[56] Nemesio Salcedo to Antonio Cordero, March 25, 1806, MS., Bexar Archives.
[57] Antonio Cordero to Nemesio Salcedo, March 7, 1806, MS., Bexar Archives.
[58] Sebastián Rodríguez to Antonio Cordero, March 12, 1806, MS., Bexar Archives.

the Spaniards should patrol the territory as far as Arroyo Hondo. The Secretary of War, on the other hand, was of the opinion that no Spanish patrol was to be allowed to remain within the territory east of the Sabine River.

The Spaniards proceeded to enforce their conviction before the Americans were ready to make effective their opinion. As early as April, 1806, Don Nemesio Salcedo instructed the governor of Texas to "preserve indisputable possession of the territory that lies between the Sabine River and Arroyo Hondo, which the government of the United States is attempting to appropriate." He also informed him that the viceroy was sending two detachments of militia composed of three hundred men each, "to be employed there in view of the unusual incidents that have taken place on the Louisiana frontier." He further instructed the governor to assign Lieutenant Colonel Don Simón de Herrera, governor of the Province of New León, to the Louisiana frontier. Lieutenant Colonel Herrera was to arrive at the head of six hundred militiamen.[59]

Upon his arrival in San Antonio on May 31st, Lieutenant Colonel Herrera was commissioned commandant of the Louisiana frontier.[60] A few days later he marched to the Louisiana frontier to carry out the superior orders of the commandant general, that "all our efforts must be directed to preserve intact the dominions of the king by repelling and pursuing as far as the boundary line any of the American troops which may cross Arroyo Hondo."[61]

Upon reaching the Louisiana frontier, Lieutenant Colonel Herrera promptly carried out his orders to reconnoiter the disputed territory. By August 4th he was writing from Bayou Pierre.[62] His efficient execution of the commission assigned to him was warmly praised by the commandant general who stated, "the territory between the Sabine River and Arroyo Hondo is free from any settlements or troops of the American government."[63]

Herrera's efficiency in patrolling the disputed area was noted, but not commended, by the American authorities. Early in August, Colonel T. H. Cushing wrote to Lieutenant Colonel Herrera demanding the object of Spanish troops within the

[59] Nemesio Salcedo to Antonio Cordero, April 9, 1806, MS., Bexar Archives.
[60] Nemesio Salcedo to Antonio Cordero, June 16, 1806, MS., Bexar Archives.
[61] *Ibid.*
[62] Simón de Herrera to Dionicio del Valle, August 4, 1806, MS., Bexar Archives.
[63] Nemesio Salcedo to Antonio Cordero, August 24, 1806, MS., Bexar Archives.

territory of the United States. He explained that reinforcements which had lately reached Natchitoches were intended only as a security to the territory actually surrendered to the United States extending to the Sabine River. He added that no attempt would be made on the part of the United States to alter friendly relations between the two countries provided Herrera would remove all Spanish troops to the west bank of the Sabine River and leave them there. Major Moses Porter personally delivered this letter to Herrera at the plantation of Monsieur Prudhomme, a few miles from Natchitoches.[64]

Herrera's reply to Cushing was equally polite and as firm as Cushing's letter. He frankly admitted that he had crossed the Sabine, but he explained that he had done so under orders of the commandant general and only to patrol and assert authority of the king of Spain over territory that had belonged to Spain "from time immemorial." He then warned Cushing that any attempt by the American forces to encroach upon this territory might lead to hostilities between the two countries.[65]

The situation remained in a state of suspense for a few weeks following the report of Herrera's explanation and warning. Upon his arrival in Natchitoches on August 24, 1806, Governor Claiborne learned of the Spanish advance across the Sabine River and the exchange of correspondence between Colonel Cushing and Lieutenant Colonel Herrera. He immediately wrote a letter to Herrera summarizing American grievances and recapitulating American claims to the disputed territory.[66] These grievances were discussed in detail and a reply was made both by Lieutenant Colonel Herrera and by Brigadier General Nemesio Salcedo y Salcedo, who merely repeated their previous claims to the disputed territory.[67] At the same time, in preparation for the approaching crisis, the commandant general summarized developments on the frontier to the viceroy from the American advance on Conichi down to Cushing's demand for Spanish evacuation of the disputed territory. He urged upon the viceroy the necessity

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[64] T. H. Cushing to Col. Herrera, August 5, 1806, *American State Papers, Foreign Relations*, II, 801.

[65] Simón de Herrera to Señor Don Thomas Cushing, August 6, 1806, *American State Papers, Foreign Relations*, II, 801

[66] Wm. C. C. Claiborne to His Excellency Govr. Herrera, August 28, 1806, Rowland, *Official Letter Books of W. C. C. Claiborne*, III, 383-386.

[67] Simón de Herrera to Wm. C. C. Claiborne, August 28, 1806, Archivo General de Indias, Audiencia de Mexico, Provincias Internas (Hackett Transcripts, 1804-1809, Vol. 200, pp. 150-151); Nemesio Salcedo to Governor Wm. C. C. Claiborne, September 18, 1806, *ibid.*, pp. 134-141.

of keeping the frontier troops well provided with supplies, and added that all frontier forces had fallen back to the vicinity of Nacogdoches in order to be nearer their base of supplies.[68]

Governor Claiborne summarized events on the frontier for Secretary of War Henry Dearborn and requested troops for the seemingly approaching clash. He stated that while he was in Opelousas he had heard of the approach of Spanish troops and of their intention to cross the Sabine River. In view of these rumors, he had repaired to Fort Adams in order to advise with General James Wilkinson and the governor of Mississippi Territory as to the means of defense. He did not meet the general there, and at once proceeded to Natchez to await his arrival. The reports he had received from Natchitoches were of such a nature, however, that he set out from Concordia on August 18th and arrived in Natchitoches on the 28th. He concluded his letter by stating that he had called into service a total of three hundred ten militiamen.[69]

The crisis in the dispute over the territory between the Sabine River and Arroyo Hondo was precipitated by General James Wilkinson. In September, 1806, soon after his arrival in Natchitoches, General Wilkinson communicated with Governor Cordero and informed him of his displeasure at the recent alteration of the *status quo* by the Spaniards. He then stated that he had been commanded by the President of the United States to assert actual possession by the United States of the territory lying east of the Sabine River. In a bombastic line, Wilkinson threatened,

> I owe it to my own fame, and to the national character, to warn you, that the ultimate decision of the competent authority has been taken; that my orders are absolute, and my determination fixed, to assert, and, under God, to sustain the jurisdiction of the United States to the Sabine river against any force which may be opposed to me.[70]

Cordero merely replied that he was not authorized to discuss the matter further and that he was forwarding Wilkinson's letter to the commandant general. In view of this reply, a few days later

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[68] Nemesio Salcedo to José de Yturrigaray, August 5, 1806, A. G. M., Prov. Int. (Hackett Transcripts, 1804-1809, Vol. 200, pp. 155-158). Conditions were so deplorable on the Spanish frontier that, when Lieutenant Colonel Herrera fell sick, Governor Claiborne sent Doctor Hayward to attend him, as the Spanish troops did not have a surgeon or medicines in their camp.—Wm. C. C. Claiborne to Governor Herrera, September 2, 1806, Rowland, *Official Letter Books of W. C. C. Claiborne*, III, 396.

[69] Wm. C. C. Claiborne to Secretary of War Henry Dearborn, August 28, 1806, Rowland, *Official Letter Books of W. C. C. Claiborne*, III, 386-390.

[70] James Wilkinson to Governor Cordero, September 24, 1806, *American State Papers Foreign Relations*, II, 803-804.

General Wilkinson again wrote to Governor Cordero to inform him that he was going to march toward the Sabine. And, he added,

> . . . to prevent the misinterpretation of my motives I consider it proper to apprize you, that this movement is made solely to demonstrate the pretensions of the United States to the territory east of that river, and with no hostile intentions against the troops or realms of Spain.[71]

General Wilkinson's threat was not so sanguinary as it sounded. The general was more interested in marching to New Orleans, as he later averred, to protect the United States from the designs of "A numerous and powerful association" which was planning to assemble eight or ten thousand men in New Orleans and thence to carry on an expedition to Vera Cruz.[72] In view of this menace, therefore, he declared that he would "make the best compromise I could with Salcedo, in my power, and throw myself with my little band into New Orleans."[73] At the same time he wrote to Secretary of War Henry Dearborn, stating that he was about to set out toward the Sabine, and added, "I intend to propose to the Spanish commander the withdrawal of our troops, respectively, to the points of occupancy at the period of the surrender of the province to the United States."[74]

As the Spaniards were unaware of General Wilkinson's true intentions, they became greatly alarmed. Lieutenant Colonel Herrera wrote from his camp on the western side of the Sabine to Governor Cordero, who had his headquarters in Nacogdoches, reporting that three detachments of United States troops were marching toward the Sabine River. One of these detachments, he declared, was encamped near Los Adaes. He emphasized the great advantage that the American army would have over Spanish troops because of their "facility for receiving reenforcements, munitions, and equipment down the rivers," and because of the difficulties encountered in furnishing reinforcements and supplies to the Spanish army from its base in San Antonio. He added that, because of the poor condition of the cavalry, "it is not possible for us to come out of an engagement with honor without exposing ourselves to the loss of many troops who would be completely ex-

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[71] James Wilkinson to His Excellency Antonio Cordero, October 4, 1806, *ibid.*, II, 804.

[72] James Wilkinson to President Jefferson, October 20, 1806, James Wilkinson, *Memoirs of My Own Times*, II, Appendix No. XCV.

[73] James Wilkinson to President Jefferson, October 21, 1806, *ibid.*

[74] James Wilkinson to Secretary of War, October 21, 1806, *American State Papers, Foreign Relations*, II, 804.

hausted or lost during the battle."[75] In view of this dismal report, the commandant general ordered Governor Cordero, "not to engage the American troops without an absolute and positive certainty of being able to dislodge them from the territory under dispute as many times as they may occupy it."[76]

No actual encounter between the Spanish and American troops ever occured, and the records give a fairly complete account of developments that averted the clash. In a letter written on November 4, 1806, General Wilkinson informed Governor Cordero that the uniformly peaceful orders set forth in the Spanish officer's correspondence had completely erased from his mind the idea that any premeditated hostility existed on the part of Spain against the United States. Therefore, he continued, he wished to communicate to his excellency his intention of raising his camp within one or two days and taking the troops under his command to Natchitoches.[77] On November 6, 1806, Lieutenant Colonel Herrera, who was in actual command of the Spanish troops facing General Wilkinson on the Sabine, wrote to Governor Cordero, who was in Nacogdoches, stating that he, too, had received from General Wilkinson a letter dated the fourth of November, in which the American general generously promised to evacuate the disputed territory, and

> . . . since I was aware of the deplorable condition of the troops under my command and that the caballada was unable to spend the winter here, which has arrived with great rigor, I deemed it a timely and honorable opportunity to withdraw our troops, thus accepting his generous proposal.

Upon receipt of this letter, Herrera continued, he had sent Assistant Inspector Don Francisco Viana to the American camp to discuss "the terms we had agreed upon." Colonel Cushing arrived in the Spanish camp the morning of November 5th, according to Herrera, and

> He informed me that the general had started out at five o'clock in the morning, and that at the same hour on the following day, their camp would be broken up and taken to Natchitoches, and that they would notify me of their departure by a cannon shot. This morning they did so.

In the following paragraph of this letter, Lieutenant Colonel Herrera gives the gist of the Neutral Ground agreement thus:

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[75] Simón de Herrera to Antonio Cordero, October 17, 1806, MS., Bexar Archives.
[76] Nemesio Salcedo to Don Antonio Cordero, October 24, 1806, MS., Bexar Archives.
[77] James Wilkinson to Antonio Cordero, November 4, 1806, MS., Bexar Archives.

"We agreed that their troops are not to cross Arroyo Hondo, and ours are not to cross that river, but that civilians from both nations will be free to travel from one to the other provided they have the required passport."[78]

A few days later Governor Cordero reported to the commandant general the peaceful settlement reached on the frontier. In this report Governor Cordero clearly attempted to take full credit for the Neutral Ground agreement. He first endeavored to magnify the danger from the American troops by dwelling upon the weakness of the Spanish forces and the overwhelming numbers and equipment of the Americans. He stated that, after deducting sentries and caballada guards from his total force, there were scarcely three hundred men available for the attack. The Americans, on the other hand, had an army of six or seven thousand veterans of infantry and artillery with forty pieces of artillery.[79] He asserted that, in compliance with his orders, "Herrera entered into an agreement with the Americans and proceeded to carry out an honorable retreat." He then added, "I believe that I adopted the safest and most honorable course."[80] Colonel Burling later testified, however, that he had used without avail every argument he could with propriety suggest in his endeavor to convince Governor Cordero of the wisdom of entering into the agreement. "The awe in which he stood of his General, was not to be surmounted," Burling declared, and, "I saw with pain, that at my return, the General [Wilkinson] would find himself in an unpleasant dilemma." The next morning Burling again tried to convince Cordero, but he was equally unsuccessful.

[78] Simón de Herrera, Camp on the Sabine, to Antonio Cordero, in Nacogdoches, November 6, 1806, MS., Bexar Archives.

This pact was celebrated with expressions of friendship in both camps. "The demonstrations of friendship between the two nations which the general and all his officers displayed in their camp to Assistant Inspector Don Francisco Viana, even those whom he had expelled from the Red River, were repeated yesterday here by Colonel Cushing; and the many officers who came with him showed their sincerity and good faith; and they displayed it again in their camp toward Assistant Inspector Viana and his officers, even the colonel, who took our officers to the parade grounds and let them watch their maneuvers."—*Ibid.*

The version of the Neutral Ground agreement here given, and written by Lieutenant Colonel Herrera, is the only document of this nature the writer has discovered. If one is to believe General Wilkinson, a definite convention was drawn up. At the Virginia trial of Burr for treason, while testifying under oath, General Wilkinson was asked by the prosecuting attorney if he recollected "whether that convention has ever been published?" His answer was, "Never." To the question, "Have you any copy of that convention?" General Wilkinson answered, "Yes; but, until it shall be the pleasure of the Government to publish it, I do not think myself at liberty to divulge its contents; I do not think it reconcilable to the duty of a military commander to anticipate his Government in the publication of official communications." He was then asked, "Were there any secret articles in that convention?" His answer was: "None. There was but one article."—Document No. 230, Burr's Conspiracy—Trial at Richmond, Virginia, *American State Papers, Miscellaneous*, I, 544.

[79] In this letter Governor Cordero admitted that General Wilkinson had occupied three positions: Los Adaes, with 200 men; El Potrero, with 100; and La Piedra, with 40 or 50 men. These positions were on the main road, and were two leagues apart.

General Wilkinson, testifying under oath at the Burr trial, stated that he had only five hundred effectives on this occasion.—*American State Papers, Miscellaneous*, I, 545.

[80] Antonio Cordero to Nemesio Salcedo, November 8, 1806, MS., Bexar Archives.

Upon returning to the Spanish camp on the Sabine, Burling stated that Herrera received him with marked politeness, and informed him "that had he been acquainted with the contents of the letter, I had left in his hands, he would have saved me the trouble of the ride to Nacogdoches." Lieutenant Colonel Herrera then, on his own responsibility, told Colonel Burling that he would send an officer on the following morning to discuss the proposal with General Wilkinson.[81]

Wilkinson's motives for entering into the Neutral Ground agreement are not above suspicion. To President Jefferson, Wilkinson averred that, if possible, he intended to make a compromise with the Spaniards in order to rush to the defense of the Union at New Orleans "to defend that capital against usurpation and violence."[82] Under oath at the Burr trial, General Wilkinson, when asked, "To what cause are we to ascribe the accommodation which took place between the two armies?" answered, "To a wish to spare the effusion of blood, and, perhaps, because on one side there was a reluctance to fight."[83] The prosecuting attorney displayed some suspicion at this trial when he asked General Wilkinson, "Was there any sum of money agreed to be paid on either side?" The general emphatically answered, "Not one cent." When Wilkinson was asked whether or not he had had any correspondence with the Spanish commandant on the subject of Colonel Burr's expedition against Mexico, he replied: "None. The earliest communications which I made on that subject were after my return to Natchez." Unfortunately, the prosecuting attorney did not press the general on this point; he did not insist on having such correspondence exhibited.

It would have been interesting indeed to hear General Wilkinson's explanation of his letter from Natchez to the viceroy of New Spain. The general considered this letter so momentous that he sent Colonel Burling in person to Mexico City to deliver it to the viceroy. In this letter, General Wilkinson's explanation of his retreat from the Sabine was somewhat different from his previous explanation to President Jefferson and from his subsequent explanation at the Virginia trial of Burr. In it, he informed

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[81] Deposition of Colonel Burling at Burr's trial, Natchez, November 9, 1807, Wilkinson, *Memoirs of My Own Times*, II, Appendix No. XCVII.

[82] General Wilkinson to President Jefferson, October 20, 1806, *ibid.*, II, Appendix No. XCV.

[83] When Wilkinson was pressed, he answered that the reluctance to fight was on the part of Spain.—Burr's Conspiracy—Trial at Richmond, Virginia, *American State Papers, Miscellaneous*, I, 544.

the viceroy that he was "without orders from my government preparing all my strength to uphold the good faith of the United States by opposing a storm from the East, which threatens to shake the very foundations of Your Excellency's government." He attempted to instill fear into the heart of the viceroy by describing "this infernal combination" as consisting of Kentucky and Ohio hunters led by experienced officers who had served in the American Revolution and a British naval squadron. "New Orleans is to be their first victim," he continued, "thence they will pounce upon Vera Cruz and the conquest of your city where Your Excellency resides will follow." To prevent the destruction and scenes of pillage and horror that would follow in the wake of the revolution, Wilkinson boasted that, "like Leonidas, I will throw myself at the pass and defend it or perish in the attempt!" After dwelling further on the horrible calamity of a successful invasion of New Spain, the general urged his excellency to reward Colonel Burling liberally for his dangerous journey. He then came to the point: by making unauthorized military moves, he was endangering his life; by communicating with a foreign power without orders he was risking his reputation; and in frustrating the plans of the revolutionary leaders, he was losing most of his private fortune. As a small token compensation for his heroic work, therefore, General Wilkinson asked the viceroy to send him the sum of eighty-five thousand pesos, which he had spent to break up the concentration of bandits and revolutionists on the Ohio, and thirty-six thousand pesos that he had spent on spies and counter-revolutionists. As a precaution, to safeguard his honor, the general requested the viceroy to have his letter translated and filed in cipher, and the original destroyed in the presence of Colonel Burling. He stipulated further that his name "should not be made known to the British, French, and American governments."[84]

The viceroy, after having the letter translated, replied courteously but unremuneratively to General Wilkinson. He thanked the general for his "interest in preserving the dominions of the king of Spain," adding, "though I had previously obtained the same information from public newspapers." With regard to the funds requested by the general, the viceroy stated, "I regret

[84] James Wilkinson to the viceroy of Mexico, November 17, 1806, Archivo General de Indias, Audiencia de Mexico (Dunn Transcripts, 1800-1819, pp. 25-28).

to say that I have no faculty to grant them to you without a positive order to that effect from the king."[85]

The Neutral Ground agreement was of such an informal nature that no definite boundaries were assigned to the disputed territory. The sole stipulation, so far as is known, was that the Sabine River on the west and Arroyo Hondo on the east should be the boundaries beyond which neither Spanish nor American troops should pass. But this arroyo was a short and winding stream running west of Natchitoches and southeast into a swamp. Notwithstanding its uncertain boundaries the Neutral Ground was recognized as a well-known area lying between two sovereign nations but under the authority of neither of the two contending governments. This condition was not altered until the Adams-Onís treaty was negotiated between the United States and Spain and formally proclaimed on February 22, 1821. By the terms of this treaty all of the territory included in the Neutral Ground was yielded by Spain to the United States, and the Sabine River, from its mouth to the thirty-second parallel, was designated as the western boundary of Louisiana bordering on Texas.[86]

Boundaries of the Neutral Ground.— The boundaries of the Neutral Ground have never been officially described. As a matter of fact, only the Sabine River and the Arroyo Hondo were officially designated in the informal agreement between Lieutenant Colonel Herrera and General Wilkinson as the boundaries of this disputed area. Even these boundaries were partial and indefinite inasmuch as their extent along these streams was never stated. Furthermore, only one semi-official map is extant of the Neutral Ground.[87] Since the boundaries were never officially described,

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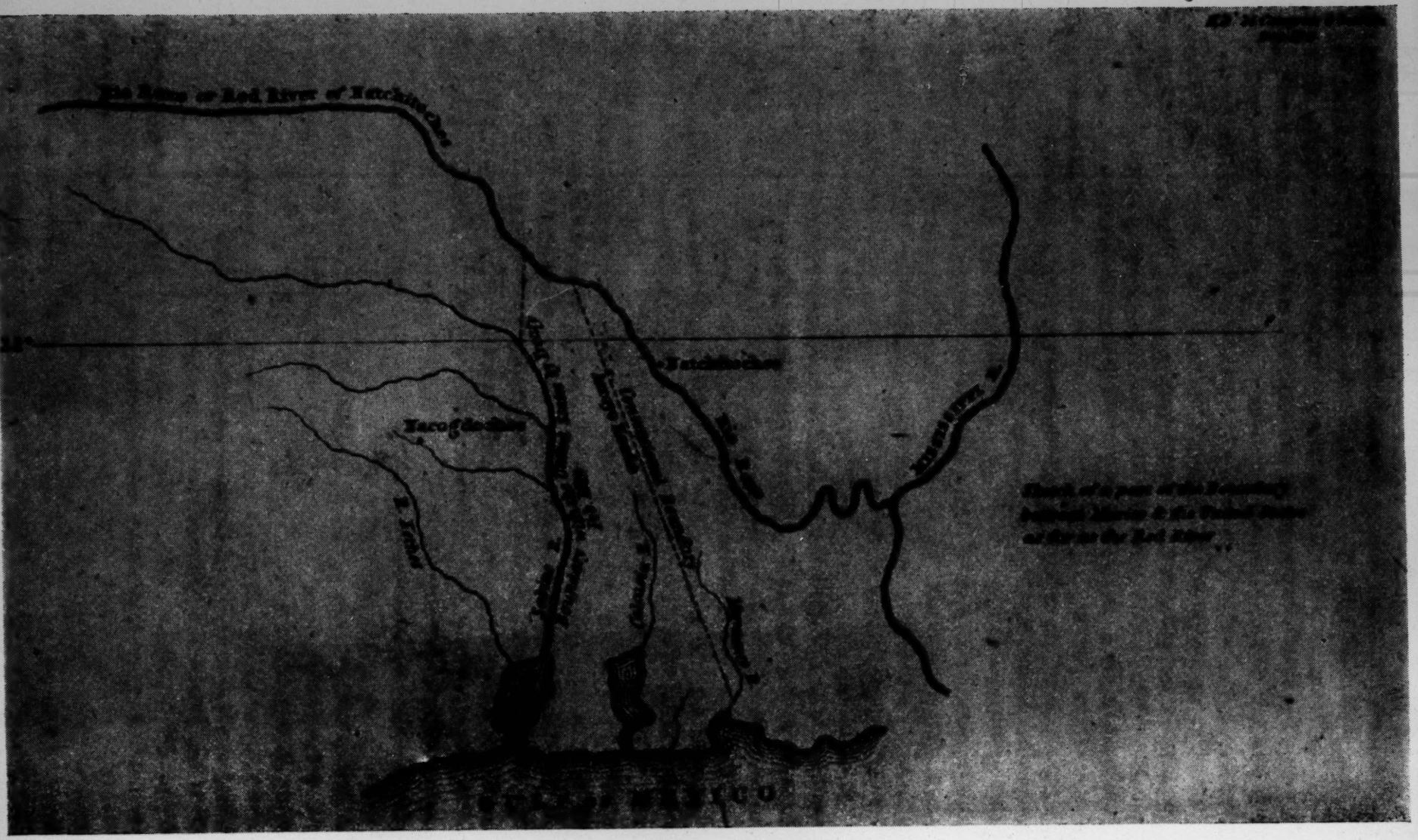
[85] José de Yturrigaray to James Wilkinson, January 21, 1807, *ibid.*, pp. 29-30.

Cowles Meade, governor of the Mississippi Territory, in a letter addressed to James Madison, Secretary of State, expressed a strong suspecion of General Wilkinson's involvement in the Burr conspiracy. He believed that the General had patched up an agreement with the Spaniards on the Sabine in order to rush to New Orleans to assist Burr in his conspiracy, provided Burr could reach New Orleans with a strong force. If, however, Burr failed, General Wilkinson was to claim the credit for informing against Burr.—Meade to Madison, December 15, 1806, Territorial Papers (Microfilm).

The only decision General Wilkinson had to make, according to Daniel Clark, a New Orleans merchant, was whether to be a traitor and betray his country or an informer and betray his friend. His determination depended on Burr's ability to assemble a formidable force on the Ohio. For much material on General Wilkinson's alleged connection with Burr, see Daniel Clark, *Proofs of the Corruption of Gen. James Wilkinson.*

[86] Developments leading to the proclamation of the Adams-Onís treaty, and the treaty itself, are excellently treated in a scholarly work written by Philip Coolidge Brooks, *Diplomacy and the Borderlands.*

[87] This map is given in Document 190, *House of Representatives*, 25th Congress, 2nd Session. This map shows the Sabine to the 32nd parallel, thence a straight line north to the Red River as the west boundary; the Red River as the northern boundary; a straight line running from the Red River in a southeasterly direction to intersect the Mermenteau River a few miles from its mouth, thence the Mermenteau to the Gulf of Mexico, as the eastern boundary; and the Gulf of Mexico as the southern boundary.



THE NEUTRAL GROUND
Between Louisiana and Texas, 1806-1821.
[Taken from H. R. 25 Cong. 2 Sess. Doc. 190]

however, this map cannot be said to be accurate. If a fairly accurate and acceptable map of the Neutral Ground is to be drawn, the sources describing the boundaries must first be sought.

All available contemporaneous sources display confusion in regard to the boundaries of the Neutral Ground. Both earlier and later sources show similar uncertainty. The Mississippi River was the earliest official eastern boundary of Texas.[88] According to this definition, the eastern boundary of the Neutral Ground should have been the Mississippi River. This absurd claim, fortunately, was never pressed. Maps of Louisiana available to Spanish and American officers at the time of the transfer were not reliable, as admitted by Don Manuel de Godoy, Spanish generalissimo and Prince of the Peace.[89]

Despite confusion and unreliable maps, a usable map of the Neutral Ground may be reconstructed. Since the Neutral Ground agreement was effected by the representatives of the two contending parties, on their own authority, while encamped on the eastern and western boundaries of the disputed territory, it is deemed advisable to use their testimony and the statements of other contemporaneous and indigenous sources in the preparation of this map.

The western boundary of the Neutral Ground may be said to be the Sabine River from its mouth to the thirty-second parallel of north latitude and the intersection of the 94° line of longitude and the Sabine River. It is true that the Herrera-Wilkinson agreement left the northern limit of the western boundary undefined, but the thirty-second parallel was clearly stipulated as the line between American and Spanish possessions by the treaty of San Lorenzo, and, if extended west of the Mississippi, it would cross the Sabine River at that point. Furthermore, the only available map of the Neutral Ground[90] shows a straight line cutting the Sabine River at the thirty-second parallel. Additional force may be given to this line by the statement of Commandant General Nemesio Salcedo in a letter to W. C. C. Claiborne in which the Spanish officer asserted that the Caddo Indian villages were within Spanish jurisdiction, and to prove his contention, he pointed out that Governor Claiborne had recognized this fact by

[88] *Expediente*, April 28, 1718, pp. 5-6, MS., Bexar Archives. A translation of this *expediente* may be found in the *Southwestern Historical Quarterly*.

[89] April 6, 1804, A. G. I., Prov. Int. (Hackett Transcripts, Vol. 200, p. 240).

[90] *House Documents*, 25th Congress, 2nd Session, No. 190.

requesting a passport for Mr. Freeman, the explorer, to go up the Red River to the Caddo village and beyond.[91]

The eastern boundary of the Neutral Ground consisted of Calcasieu Pass, then along the west bank of Calcasieu Lake, the the west bank of the Calcasieu River to its source, thence a straight line running north to Kisatchie Creek, along this creek to the 93° 7′ line of longitude, where the Arroyo Hondo fades into Sibley's marsh, thence along Arroyo Hondo to its source—about 93° 8′ and 31° 47′ 30″—thence a straight line north to Bayou Pierre, along this bayou to the west bank of Bayou Pierre Lake at the Bayou Pierre settlement.[92] The Calcasieu River was also recognized as part of the eastern boundary of the Neutral Ground by Don Antonio Cordero, Governor of Texas. Furthermore, Don Antonio believed that both the Calcasieu River and Arroyo Hondo constituted the eastern boundry of the Neutral Ground.[93] It is true that the Prince of the Peace preferred to have as the boundary a straight or curved line running northward from the Gulf of Mexico, passing between the Calcasieu and Mermenteau rivers, and continuing midway between Los Adaes and Natchitoches;[94] but this line was never recognized during the existence of the Neutral Ground. This line was, however, given partial recognition by the only extant map of the Neutral Ground mentioned above. Since the Calcasieu River and Arroyo Hondo were acknowledged to be part of the eastern boundary of the Neutral Ground, one need only to produce proof to establish the remainder of the eastern boundary. In addition to Peter Samuel Davenport's testimony in which he gives the Calcasieu River, Bayou Kisatchie, and Arroyo Hondo as the basic line,[95] the straight line suggested by both the Prince of the Peace and the artist of the only extant map may be followed to fill in the gaps not otherwise accounted for.

The southern boundary of the Neutral Ground obviously consisted of the coast of the Gulf of Mexico between the mouth of Calcasieu River and the mouth of Sabine River.

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[91] Salcedo to Claiborne, September 18, 1806, A. G. I., Prov. Int. (Hackett Transcripts, Vol. 200, pp. 134-141).

[92] Peter Samuel Davenport gave this boundary as follows: the Calcasieu River, from its source to its mouth, Bayou Kisatchie up to the mouth of Bayou Don Manuel, and southwest of this bayou, Lake Terre Noir and Arroyo Hondo, a straight line to the Red River.—Report of the Register and Receiver of the Land District south of Red River, in Louisiana, upon land claims situated between the Rio Hondo and the Sabine, November 1, 1824, in *House Documents*, 24 Congress, 1 Session, No. 49 (Series No. 287). (Hereafter this source will be cited as *Document No. 49.*)

[93] Quoted in a letter by Sebastián Rodríguez, to the commandant of the detachment of La Nana and Bayou Pierre, October 16, 1805, MS., Bexar Archives.

[94] April 6, 1804, A. G. I., Prov. Int. (Hackett Transcripts, Vol. 200, p. 240).

[95] *Document No. 49.*

The northern boundary of the Neutral Ground was a straight line running in a southwesterly direction from the Bayou Pierre settlement to a point crossed by the thirty-second parallel of north latitude and the intersection of the ninety-fourth degree line of longitude and the Sabine River.[96]

Physical Aspects.—The area included in the Neutral Ground contained a wide variety of soils, vegetation, and animal life. This disputed territory comprised the southeast corner of DeSoto Parish, Sabine Parish, the west half of Natchitoches Parish, Vernon Parish, the west half of Rapides Parish, Beauregard Parish, Allen Parish, the north corner of Evangeline Parish, Calcasieu Parish, the northwest corner of Jefferson Davis Parish, and the west corner of Cameron Parish.

In general, it may be stated that the soil of the Neutral Ground ranged from a band of recent alluvium of the Pleistocene era on the coast to the lignitic formation of the Eocene era on the north.[97] The coast band, below a line running from the upper part of Sabine Lake to the upper part of Calcasieu Lake, is a sandy plain. North of that band, to the Red River, the soil gradually changes from an orange sand, through a grayish clay covered by rich loam, to a reddish clay near the Red River banks.[98]

Large rivers, except as boundaries, were not to be found within the Neutral Ground. The Sabine River, the Red River, and the Calcasieu River were the main streams enclosing the disputed area. Numerous small streams enter the main rivers. Of special interest to this study are La Nana Creek, which runs west into the Sabine River, Bayou Kisatchie, Sibley's marsh, Arroyo Hondo, and Bayou Pierre, all of these creeks flowing east, and Arroyo Hondo running into Sibley's marsh.

Only three lakes of importance were to be found in the Neutral Ground. Lake Sabine, at the mouth of the Sabine River, and Calcasieu Lake, at the mouth of the Calcasieu River, were the largest, and constituted part of the boundaries. Bayou Pierre

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[96] This northern line is arbitrary. The settlement of Bayou Pierre was claimed by Spanish authorities, and this claim seems to have been conceded by the United States, as shown by the fact that the joint raiding expedition of 1810 did not destroy the settlement and did not explore beyond it. Furthermore, the Spanish government established a trading post in that settlement in 1809.

[97] Gilbert D. Harris, "The Tertiary Geology of the Mississippi Embayement," Plate I, a special report in William C. Stubbs, *A Report on the Geology of Louisiana.* See also, Daniel Dennett, *Louisiana As It Is.*

[98] For a detailed report on the soils of Louisiana, see Eugene W. Hilgard, *Supplementary and Final Report of a Geological Reconnaissance of the State of Louisiana.* See also, A. C. Veatch, "The Geography and Geology of the Sabine River," in Stubbs, *A Report on the Geology of Louisiana.*

Lake, northwest of Natchitoches, was used as part of the boundary. Smaller seasonal lakes were to be found along the creeks and bayous.

A generous variety of vegetation was to be found in the Neutral Ground, from short grass plains on the south to several kinds of pine trees in the north. The flat plain between the Sabine and Calcasieu rivers, about fifty by twenty miles, was sparsely covered with a species of oak known as black jack, intermingled with pine.[99] "The country from which the Calcasieu flows," wrote William Darby in 1817, "may be correctly called a pine forest."[100] Near the Calcasieu River bed were to be found some cypress swamps. Dense long-leaf pine forests covered the north section of the Neutral Ground, particularly the section lying between the Sabine River and Natchitoches. Cottonwoods were found along creek bottoms. Cedars were everywhere intermingled with pines, especially where the trees were not so dense. Wild plums, mulberries, and strawberries were to be found in abundance in the upper section of the Neutral Ground, above the old Spanish trail.[101]

"The great range of pine forest, that occupies the space from the prairies of Opelousas to Red River, winds along the Sabine," wrote William Darby. He then stated that the general surface of this region rose by very gradual elevation from the prairies into hills of considerable height. He added that the principal range of those hills pursued nearly the same course as did the Sabine. Twenty or twenty-five miles distant, this range divided the waters flowing into the Red and Calcasieu rivers from those flowing into the Sabine. The creeks formed from the western slope of these hills flowed into the Sabine, and the bayous flowing from the eastern slope declivity below the parallel of thirty-one degrees thirty minutes quickly intermingled and formed the Calcasieu River.[102]

The southern section of the Neutral Ground, that south of the old Spanish trail and north of the Calcasieu plain, is covered principally with pine trees, although, advancing toward the Gulf of Mexico, "the pine woods imperceptibly give place to groves of dwarf oak and hickory, with spots of ground covered only with grass."[103]

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[99] William Darby, *A Geographical Description of the State of Louisiana, the Southern Part of the State of Mississippi, and Territory of Alabama*, 112.
[100] *Ibid.*, 153.
[101] H. M. Brackenridge, *Views of Louisiana; together with a Journal of a Voyage up the Missouri River, in 1811*, 61-62.
[102] Darby, *A Geographical Description of the State of Louisiana*, 168.
[103] Brackenridge, *Views of Louisiana*, 158.

Animal life in the Neutral Ground was more abundant and varied then than it is now. The buffalo and deer that roamed the country along the sources of the Sabine and westward and southward were also to be found within the boundaries of the disputed territory.[104] Wild turkeys, wolves, foxes, rabbits, and crocodiles along the swamps, were to be found in the Neutral Ground.

There were only two main roads across the Neutral Ground. The old Spanish trail crossed the disputed territory from Natchitoches, the last American settlement before encountering Arroyo Hondo, to Nacogdoches, the first Spanish settlement west of the Sabine River. The Opelousas road followed approximately the same line at present used by the highway from Orange, Texas, to Lake Charles, Louisiana. There were two other fairly important roads, one from Bayou Pierre to Nacogdoches, and the other from Bayou Pierre to Natchitoches. Numerous other trails entered these main roads, and crossed the Neutral Ground at various angles, but these were used mainly by hunters, trappers, and Indians, and not by regular travelers or traders.

CHAPTER III

A CRUMBLING BARRIER

The Neutral Ground was a weak barrier to the westward advance of American frontiersmen. While the definitive boundary settlement between the United States and Spain was being worked out in diplomatic circles, other factors were operating for the dissolution of this temporary check. American and Spanish settlers were steadily moving into the disputed area to stake their claims to good tracts of farming and grazing land. Their presence in the disputed area was one of these destructive factors. Peaceful settlers who entered the Neutral Ground naturally expected the protection of their respective governments. If one of the contending governments attempted to extend its protecting hand to its nationals, the other would resent the intrusion. Furthermore, bandits, future filibusters, and fugitive slaves often found shelter in the homes of squatters. The Neutral Ground also afforded an ideal hiding and breeding place for outlaws, who made hazardous all communication between Spanish and American possessions. Spanish authorities regretted the existence of the

[104] Darby, *A Geographical Description of the State of Louisiana*, 171; Brackenridge, *Views of Louisiana*, 56-57.

Neutral Ground because they suffered much vexation from them. For these reasons, because bandits interrupted the lucrative Spanish trade, and because fugitive slaves found ready asylum in the disputed area and on the Spanish frontier, American authorities were also greatly annoyed by the existence of a Neutral Ground. Thus, within its boundaries, developed the corrosive forces that eventually caused it to crumble.

Settlers.—Inhabitants of the Neutral Ground may be classified into permanent and transient. Permanent settlers were those who either lived lawfully, but intermittently, or had a rightful claim to land within the boundaries of the Neutral Ground. No one truthfully claimed to have lived uninterruptedly within this territory between the years 1806 and 1821. Transients were those who lived in the Neutral Ground unlawfully for short periods of time, or those who merely operated in that territory in various capacities, such as seasonal farmers, hunters and trappers, guides, highwaymen, or filibusters.

Prior to the establishment of the Neutral Ground, the Spanish government had claimed all of the territory included in it as part of the Province of Texas.[1] Spaniards, Frenchmen, and even some Americans had obtained land grants within this territory, and many farms and ranches were established there long before the birth of the Neutral Ground. All settlers living in that territory were considered by the Spaniards as being within the jurisdiction of Los Adaes, the capital of Texas until 1772, and thereafter in the jurisdiction of Nacogdoches, headquarters for Spanish frontier troops and a post subordinate to San Antonio de Bexar, until 1821 the capital of Texas.

Records of actual settlers in the Neutral Ground are scant. In 1797, prior to the establishment of this neutral strip as a distinct entity, a census was taken by the commandant of Nacogdoches of ranches and houses situated east of the Sabine River and considered to be existing within the jurisdiction of Nacogdoches. This census listed fourteen heads of families living in the Neutral Ground, mostly near Los Adaes.[2] In 1805 a similar census of all families residing east of the Sabine was taken. This census showed a total of twenty-eight families living in the terri-

[1] "It is publicly known," the Commandant General asserted, "that the territory lying between the Sabine River and the Arroyo Hondo has never belonged to Louisiana."—Don Nemesio Salcedo to Governor Wm. C. C. Claiborne, September 18, 1806, MS., Bexar Archives.

[2] Census drawn up by José María Guadiana, Nacogdoches, February 27, 1797, MS., Bexar Archives. See Appendix A, below.

tory between the Sabine River and Arroyo Hondo. These families consisted of thirty-seven men, twenty-seven women, thirty-eight boys, forty-one girls, and thirty-nine slaves.[3] References to farmers living in the disputed territory are also to be found in the various records covering the period of existence of the Neutral Ground, but they are few and widely scattered.[4]

After the settlement of the boundary dispute between Spain and the United States, many claims were filed with the Land Register in Natchitoches by persons who averred to have lived in the Neutral Ground for many years prior to 1819.[5] It is possible that many of the claimants may have lived in the Neutral Ground throughout the period of the dispute in remote sections of the territory, where their presence went unnoticed by travelers or officials.[6]

On August 1, 1798, Don José María Guadiana, commandant of Nacogdoches, stood in the center of a prairie known as "La Nana", about seven leagues east of the Sabine River on the road leading to Natchitoches. Near him stood a Spanish Irishman named Don Eduardo Murphy. With solemn dignity, Guadiana took Murphy "by the hand, walked with him a number of paces from north to south, and the same from east to west, and letting go his hand, Murphy walked about at pleasure on the said territory of La Nana, pulling weeds, made holes in the ground,

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[3] Census, November ....., 1805, MS., Bexar Archives. See Appendix B, below.

[4] Note, for instance, the following references:

"The great prairie between the Mermentau, and Calcasieu rivers, usually denominated the Calcasieu Prairie, and commences ten miles north of the junction of the two main branches, and leaving a very thin strip of wood land between its verge and the river's bank, first reaches actual contact with the Calcasieu at the Little lake. Two creeks have their source in this prairie, one of which enters the river a short distance below the mouth of the S. W. branch, the other falls into the Little lake. These latter streams deserve notice, only as having upon the land they drain, except one house on Little lake, the only settlements of whites, yet made on the Calcasieu river."—Darby, *A Geographical Description of Louisiana*, 170. "No settlements of any civilized people have yet been made immediately on the Sabine; if we except that of a family residing at the spot where the road from Natchitoches to Texas crosses the river. Some recent establishments, however, have been made on some of the creeks on the east side, by some Americans, and by Spanish refugees from St. Antonio and Nacogdoches, in the late revolution in the internal provinces. The country bordering on this river may be yet considered a wilderness, particularly the western slope."—*Ibid.*

[5] The Register and Receiver of the Land District south of Red River held a meeting in Natchitoches in 1824 for the purpose of hearing all claims to land within the Neutral Ground. Claims were divided into four classes. Those claims that were supported by documentary evidence were in the first class. Those supported merely by occupation and not wholly reliable documents were placed in the second class. Claims supported by occupation, cultivation, and affidavits were listed in the third class. All claims with questioned title were in the fourth class and were not confirmed.—*Document No. 49.*

[6] The bishop of New León, who crossed the Neutral Ground in June, 1806, wrote about its settlers: "Many Englishmen and Americans are living near the boundary line. They live without a ruler and without laws; they become frightened like wild beasts when they see other human beings. They live in concubinage and incestuous unions; they carry on illicit trade with the wild tribes. I saw them with my own eyes. Many other horrible conditions exist, which I prefer to leave unwritten."—Bishop of New León to Don José de Yturrigaray, Viceroy of New Spain, June 20, 1806, A. G. I., Aud. de Guad. (Hackett Transcriptions, 1800-1819, p. 156).

planted posts, cut down bushes, took up clods of earth and threw them on the ground, and did many other things in token of possession."[7]

This simple ceremony and the recording of the deed put Don Eduardo Murphy in possession of a large tract of land consisting of one hundred forty-four sections of land astride the Nacogdoches-Natchitoches road in the Neutral Ground. On November 3, 1798, Murphy conveyed this grant to the commercial partnership of Murphy, Smith, Barr, and Davenport.[8] By subsequent death of the other members of this firm, this tract of land eventually fell to Samuel Davenport. This claim to ownership of land in the Neutral Ground was confirmed and listed as "first class" by the Register and Receiver who, in 1824, passed on the validity of land claims in the Neutral Ground.[9]

Samuel Davenport also received confirmation of his claim to the extensive "Las Ormigas" tract in the Neutral Ground, a claim amply supported by documentary evidence. "Las Ormigas," originally granted to Jacinto Mora on December 2, 1795, was a tract containing six square leagues or 207,360 acres of grazing land bordering on the left bank of the Sabine River with its northeast corner nearly touching the thirty-second parallel. Jacinto Mora sold this tract to the firm of Barr, Davenport and Company on July 22, 1805.

Two hundred eighty claims to land in the Neutral Ground, varying in size from the large "Las Ormigas" tract to the one-acre claim of Antonio La Rue, were filed. Most of the claimants asked for six hundred forty acres, and supported their claims with the statement "by virtue of occupation, habitation, and cultivation, on and previous to the 22d of February, 1819." To support their claims they always submitted affidavits given by neighbors who asserted that they knew that the claimant occupied, inhabited, and cultivated the land claimed, usually growing corn, cotton, tobacco and wheat thereon on and prior to the 22nd of February, 1819. Only twenty-nine of the claims filed were rejected for lack of satisfactory evidence to show that the claimant had actually occupied the land prior to February 22, 1819.[10]

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[7] *Document No. 49*, p. 70.
[8] For additional date on this trading firm, see Chapter IV of this study.
[9] *Document No. 49*, p. 71.
[10] *Ibid.*, p. 121.

It is difficult to learn when these settlers moved into the Neutral Ground. It is known that they were not there in the spring of 1812 and that they were living on their claims on February 19, 1819. It may be surmised that a number of the filibusters driven out of Texas in August, 1813, remained in the Neutral Ground. Since the territory of the Neutral Ground was virtually taken over by the United States soon after Louisiana was incorporated as a State in 1812,[11] it may be further surmised that a number of American squatters moved into the Neutral Ground late in 1813 or early in 1814. Despite the attempts of Toledo, Humbert, Robinson, and others to organize new filibustering expeditions, and in spite of Long's two failures, conditions were favorable for settlement after 1813. The Spaniards practically abandoned all the territory east of Nacogdoches after that year.

The Filibusters.—Our interest in the filibustering expeditions is limited by the extent to which the territory of the Neutral Ground was used by them.[12] Of the well known expeditions—Gutiérrez-Magee, Mina, Champ D'Asile, and Long—only the one led by Augustus Magee and Bernardo Gutiérrez de Lara and that led by James Long crossed the disputed territory or held a base there. Some individuals bent on similar missions and certain unorganized groups also crossed this strip of land. Although most of the organization and preparation of the first venture was carried on in Natchitoches and New Orleans, the final assembling of the attack on Texas was initiated in the territory east of the Sabine River.[13]

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[11] Act of April 14, 1812, in Richard Peters (ed.), *Public Statutes at Large of the United States of America*, II, 703.

[12] For an extensive account of the filibustering expeditions that raided New Spain, see Harris Gaylord Warren, "New Spain and the Filibusters, 1812-1821," (Doctoral dissertation, unpublished, Northwestern University, 1937).

[13] "The men who rallied to the standard which was hoisted within the Neutral Ground came from various motives."—W. F. M'Caleb, "The First Period of the Gutiérrez-Magee Expedition," *Southwestern Historical Quarterly*, IV, 218.

"The vagabonds are again assembling in the Neutral Ground, aided by revolutionary subjects, deserters from the Spanish army, and others who are desirous of starting a revolution,"—Manuel de Salcedo to Bernardo Montero, June 22, 1812, MS., Nacogdoches Archives, Archives of the State of Texas, Austin, Texas.

Masmela, a Spanish commercial agent in Natchitoches, reported to the governor of Texas that American volunteers were recruiting on the Sabine. "It is believed," he added, "that all united are going to attack Nacogdoches and aid the insurgents . . . the number cannot be estimated, some say 100 others 200 . . . . Magee was seen on the further bank of the Arroyo Hondo going with 5 or 6 men in the direction of the Sabine."—Masmela to Manuel de Salcedo, July 20, 1812, MS., Nacogdoches Archives, Transcripts, University of Texas.

"Volunteers were still streaming toward the Sabine and Texas when Colonel Magee . . . left Natchitoches on August 2, 1812, to join his little army. A skirmish occurred west of the river on August 7 between Magee's 'advances piquets' and a party of Spaniards. . . . This encounter was the signal for the main army to follow. On August 8, 1812, Colonel Magee crossed the Sabine at the head of his entire force of about 'one hundred and thirty effective men armed with rifles and shot guns.'" Warren, "New Spain and the Filibusters, 1812-1821," 47-49.

Don José Antonio Chismo talked with the Anglo-Americans in the Neutral Ground. He saw 300 of them, and they told him there were 700 altogether, and that they planned on taking Nacogdoches on August 13th.—Pedro Procela to Don Bernardino Montero, August 11, 1812, MS., Bexar Archives.

John Hamilton Robinson[14] crossed the Neutral Ground for the second time soon after the Gutiérrez-Magee expedition captured Nacogdoches.[15] He had previously crossed it on his return from Chihuahua in July, 1807. Robinson arrived in Natchitoches on October 5, 1812, and at once communicated with William Shaler, United States special agent observing the movements of the filibusters. Soon thereafter he crossed the Neutral Ground and, on October 15, was taken under arrest before Colonel Magee at Nacogdoches. Two days later he was permitted to proceed, after he had signed a pledge not to give information to the royalists about the position, strength, or plans, of the filibusters.[16]

On his return to the United States, after he had carried out his mission, Robinson again crossed the Neutral Ground. He arrived in Natchitoches on April 7, 1813, with the intention of leaving immediately for Washington. Monroe, however, had now decided that Robinson's failure to accomplish anything was ground for discharging him.[17]

Robinson was not generally concerned about his discharge for he had become interested in filibustering. He had been encouraged in his new interest by Don Jose Alvarez de Toledo,[18] who was in Natchitoches at that time. Robinson continued on his way east to spread the news of revolution in Spanish America. Toledo crossed the Neutral Ground into Texas after the forces of Gutiérrez had captured San Antonio.

Gutriérrez had prospered chiefly because of the support given him by the United States. William Shaler, undercover representative of the United States in Natchitoches, had supplied Gutiérrez

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[14] Robinson was a physician, a native of Virginia, who moved to St. Louis in 1804 as a young man of twenty-two. He accompanied Zebulon M. Pike's expedition into the Interior Provinces in 1807. Before the expedition reached its destination, Robinson went ahead to Santa Fé, where he was captured and sent to Chihuahua. There he was released, and later attempted to become a Spanish citizen. Commandant General Salcedo sent Pike's party, including Robinson, back to the United States by way of Nacogdoches and Natchitoches.—Warren, "New Spain and the Filibusters," 53-59.

[15] Robinson's mission on this occasion seems to have been to cross the Neutral Ground and, "seeing its actual state" with reference to the "many persons that have intruded on the territory lying between Natchitoches and the Spanish settlements westward of that post, who disregarding equally the authority of the U. S. and the Spanish provinces, commit enormities tending to endanger the peace and safety of both countries," to proceed to the seat of government of the Interior Provinces and communicate with the commandant general on the best means to suppress the banditti of the Neutral Ground.—James Monroe to Doctor Robinson, MS., in the Department of State, entitled "Filibustering Expeditions against the Governments of Spain, 1811-1816." Microfilm copies in the Archives, University of Texas. [Hereafter to be cited, Filibustering Expeditions (Microfilm).]

[16] Warren, "New Spain and the Filibusters," 55-56.

[17] *Ibid.*, 58-59.

[18] E. J. Brander, "José Alvarez de Toledo and the Spanish-American Revolution" (Master's thesis, Northwestern University, 1931).

with funds and advice.[19] Before the expedition had reached Nacogdoches, however, Shaler began to lose faith in him. By the time the filibusters took San Antonio de Bexar, Gutiérrez had completely lost the confidence of Shaler and other Americans.

William Shaler crossed the Neutral Ground and arrived in Nacogdoches on May 20, 1813. In that frontier town he commenced to work for the downfall of Gutiérrez and for his replacement by Toledo. He eventually succeeded, and, on August 4, 1813, Toledo arrived in San Antonio to assume command of the filibuster army.[20]

The filibusters of the Gutiérrez-Magee expedition, led by Toledo and his American aides, were completely defeated and routed at the battle of Medina, on August 18, 1813.[21] Toledo and some of his men attempted to make a last stand at Nacogdoches, but the Spaniards pursued the fugitives as far as the Trinity River and captured many of them. Resistance became hopeless and Toledo, together with about three hundred men, women, and children, crossed the Neutral Ground and settled temporarily in and around Natchitoches. Many more took refuge in Bayou Pierre and other points on the northern and eastern edge of the Neutral Ground.[22]

The spirit of the filibusters was not completely crushed by the devastating defeat of Medina. A large number of the refugees met at Natchitoches on September 12, 1813, and gave full powers to Toledo in case he should decide to reorganize the expedition. Toledo moved to Nashville, Tennessee, where he was given promises of aid. Concrete help was slow in forthcoming, however, and, in the meantime, others were making plans for a new invasion of Texas.

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[19] "I advanced 150 dollars to Mr. Barnard [Bernardo Gutiérrez] to purchase some clothing and other articles of which he seemed to stand in great need. I also paid his bill of board and lodging in Orleans, his passage, stores, and incidental expenses to this place in the whole amounting to about two hundred and fifty dollars."—William Shaler to James Monroe, May 2, 1812, Filibustering Expeditions (Microfilm).

[20] Warren, "New Spain and the Filibusters," 79-91.

[21] *Ibid.*, 95-97; M. A. Hatcher (ed.), "Joaquín de Arredondo's Report of the Battle of Medina, August 18, 1813," in *Southwestern Historical Quarterly*, XI, 223-224.

[22] William Shaler to James Monroe, September 19, 1813, Filibustering Expeditions (Microfilm).

"The loss of the Americans cannot have been very great, as great numbers have arrived, and they are coming in daily, upwards of fifty were taken prisoners by a detachment of about 100 Spaniards sent on as far as the Trinity under command of Colonel Elizondo who treated them with the utmost kindness, furnished them with pack horses for their provisions, a rifle to every five men, and passports to return home. I have conversed with several of those men, who all agree in reporting that Elizondo treated them in the most affable and friendly manner; that he told them he had no complaint against the Americans; that they were natural friends, and even at liberty to stay in the country or return home at their choice."—*Ibid.*

General Jean Joseph Amable Humbert,[23] a French ex-officer, landed in New Orleans in the fall of 1813. Soon thereafter he conceived the idea of raising an army for the invasion of Texas. He was allegedly working for Toledo, but the Spaniard refused to cooperate with his French ally. Humbert was not discouraged and, while Toledo was active in Tennessee on behalf of the revolution, Humbert was engaged in the same cause in New Orleans, Opelousas, Natchitoches, and Rapides. His eloquence impressed the refugees at Natchitoches, who were growing restless at Toledo's delay. With a group of promising filibusters, Humbert crossed the Neutral Ground and the Sabine.

On November 25, 1813, Humbert organized a Mexican revolutionary government in exile on Texas soil. Juan Mariano Picornell, one of Toledo's followers, was elected president.[24] This fantastic government was short-lived. Lack of funds and support compelled Humbert, the leader, and Picornell, the president, along with their aides, to repair to New Orleans. Soon after his arrival at that metropolis, President Picornell was cleverly induced by Spanish agents to abandon the revolutionary cause and to take up the banner of Spain.[25]

After his discharge by Monroe, John Hamilton Robinson became actively engaged in filibustering. On January 18, 1814, the Friends of Mexican Emancipation, a group of Americans interested in westward expansion, met at Natchez and organized a skeleton expedition for the invasion of Texas. Robinson was given the civil and military command of this government in exile.

Early in April, 1813, Robinson crossed the Neutral Ground and established an army camp about two miles west of the Sabine River and called it the "Republican Camp."[26] He had planned to establish his base in Nacogdoches because, as he said, "We must not think of embodying and organizing ourselves within the limits of the United States—hence the necessity of a fixed point beyond the Sabine."[27] Fear of the Spaniards and the opposition of John

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[23] Little is known about this adventurer. He led an expedition against Ireland in 1798. In 1802 he was active in Santo Domingo. In July, 1813, he met Onís, the Spanish minister to the United States, on a boat bound for Philadelphia. He spent about a month in Philadelphia trying to establish a military college. Failing in this and other schemes, he sailed for New Orleans with the intention of settling down on a plantation.—Warren, "New Spain and the Filibusters," 108-110.

[24] "Unfortunately," regretfully wrote Picornell to Toledo, "they have placed me at the head of this new provisional government, and I assure you that I would not have accepted this office had I not had a desire to see the revolution given the proper direction for its success."—Picornell to Toledo, December 13, 1813, Filibustering Expeditions (Microfilm).

[25] Warren, "New Spain and the Filibusters," 118-122.

[26] *Ibid.*, 127; Smtih to Robinson, April 12, 1814, Filibustering Expeditions (Microfilm).

[27] Robinson to Smith, January 24, 1814, Filibustering Expeditions (Microfilm).

Smith, one of Toledo's agents, compelled him to remain near the Sabine, about eight or ten leagues above Ormigas.[28]

Toledo crossed the Neutral Ground and the Sabine on May 2, 1814. On that day he arrived at "Camp Independence," headquarters previously established for him by John Smith. He found Robinson and a Mr. Winn prisoners of Smith.[29] Because of the great excitement caused in Natchitoches by the arrest of these two men and the threats of certain armed men in the Neutral Ground, Toledo was compelled to release them and send them across the Sabine to the Neutral Ground.[30]

After Toledo released Robinson and Winn, he wrote a letter to the commandant of Fort Claiborne reporting the existence of a party of armed men in the Neutral Ground. He alleged that these men were stationed three miles from his camp, on the east side of the Sabine, and they were robbing "citizens of the Mexican republic who took refuge in the United States after Medina, and who are now returning home."[31] These men were camped in the Neutral Ground at "Old Field, 2 miles from the Sabine River," and were awaiting the release of Robinson and Winn.[32]

By the end of November, 1814, east Texas was free from insurgents. Toledo's credit in the United States failed him; rumors of large Spanish forces on their way to Texas were common; the filibusters slowly disintegrated; some returned to the United States, and others stayed in the Neutral Ground. Early in August, 1814, Robinson abandoned his filibustering band in the Neutral Ground and returned to Natchitoches as a private citizen.[33]

James Long[34] used the Neutral Ground as a highway for his filibusters.[35] On June 7, 1819, Long arrived in Natchitoches

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[28] Warren, "New Spain and the Filibusters," 130.

[29] *Ibid.*, 128.

[30] "On my way to Natchitoches a few miles from the River I met a considerable party of men on their way to the Sabine for the purpose of recovering the two persons arrested and held as prisoners"—John Nancarrow, east of the Sabine, to Toledo, May 5, 1814, Filibustering Expeditions (Microfilm).

[31] Toledo to Commandant of Fort Claiborne, May 6, 1814, Filibustering Expeditions (Microfilm).

[32] George Orr, Douglas Forsythe, M. D. Robinson, James S. Wood, Thomas Wilson, as a committee, to General José Alvarez de Toledo, May 9, 1814, *ibid.*

[33] Warren, "New Spain and the Filibusters," 131.

[34] Long was born in Culpeper County, Virginia, in 1793. He migrated to Kentucky and later to Tennessee at an early age. He clerked in his father's store for two years when he was fifteen, after an unsuccessful mercantile venture. Later he studied medicine and joined the army. In 1814 he served in New Orleans as a surgeon. In January, 1814, he was transferred to Natchez. There he met Jane H. Wilkinson, General James Wilkinson's niece, and they were married on May 14, 1815; his bride was only fifteen years old. He then resigned from the army, practiced medicine for a while at Port Gibson, and then purchased a plantation near Walnut Hills, now Vicksburg. He sold the plantation in 1817 and went into the mercantile business with A. W. Walker.—*Ibid.*, 373-374.

[35] James Long was one of many men who were dissatisfied with the Adams-Onís treaty. He claimed that Texas should belong to the United States and organized an expedition to capture it by force of arms. For an excellent account of the organization and activities of Long's expedition, see *ibid.*, 373-409.

with twenty-two men. On the following day he crossed the Neutral Ground and established his headquarters in Nacogdoches. On that same day, approximately one hundred twenty recruits also crossed the Neutral Ground to join Long in Nacogdoches. The rendezvous for the new recruits, however, had been fixed ten miles west of the Sabine.[36]

Shortly after his arrival in Nacogdoches, Long organized a government. On June 23, 1819, Texas was declared to be an independent republic. A supreme council of twenty-one men, with Long as president, was to be the chief governing body. The preamble to the declaration of independence contained a complaint against the treaty of 1819, and many altruistic motives were ascribed to the expedition.[37]

Recruits continued to swell the ranks of the new republic. About three hundred men had joined the filibusters by early July, and recruits were being enlisted in Attakapas, Opelousas, and Rapides. Supplies for the filibusters were being sent across the Neutral Ground from New Orleans and Natchitoches. Long even attempted to enlist the aid of the Laffite brothers, who were then based in Galveston.

The new republic quickly disintegrated. Laffite's reluctance to assist the filibusters and the capture by the American authorities of supplies being transported for Long's men, caused a shortage of rations among the invaders. Long allowed his men to hunt and barter with the Indians for their subsistence. The expedition broke up into small groups, which scattered over east Texas as far west as the Brazos River in search of game and enemy patrols.[38]

Late in September, 1819, a Spanish army consisting of five hundred men, under Colonel Ignacio Pérez, moved out of San Antonio to attack Long's filibusters. Spies reported to Pérez that the main body of Long's men were on the Sabine, and that only invalids and cripples remained in Nacogdoches. Pérez marched cautiously toward the Sabine. On October 11, he captured a Lieutenant Campbell and ten men on the Brazos. Between the Brazos and Nacogdoches Pérez attacked other small groups of filibusters and captured a few of them. Pérez entered Nacog-

[36] *Ibid.*, 377.

[37] One of the true motives of the expedition was the acquisition of land. The Supreme Council decreed that "each private who enters the service before the first of October, ensuing, shall receive ten sections of land as soon as the government is settled."—*Ibid.*, 379.

[38] *Ibid.*, 386-387.

doches on October 28, but found it evacuated by Long's men, who had hastily fled across the Sabine into the Neutral Ground. On October 31, Pérez reached the Sabine, and saw Captain Beard, from Fort Jesup, stationed on the opposite bank. After an exchange of courtesies Captain Beard explained to Pérez that he had been sent there to arrest James Long. Pérez released some of the American prisoners and sent them across the Sabine. He then destroyed more than twenty houses occupied by Americans from Nacogdoches to the Sabine and down near the coast to Atascosito. Most of these people crossed the Sabine into the Neutral Ground, though some of them found refuge in Galveston.[39]

Bandits.—Throughout the existence of the Neutral Ground many outlaws infested its territory. The scarcity of records has handicapped a study of their activities and has given rise to confused and romantic accounts of their depredations.[40] One of the most common misconceptions is the belief that the bandits of the Neutral Ground lived in the disputed territory until the period of Texas revolution. Another erroneous idea is that, when these outlaws were driven out of the Neutral Ground, they migrated en masse to east Texas.[41] Settling in east Texas, so these journalistic accounts go, the Neutral Grounders shortly thereafter engaged in the Regulator-Moderator conflict.[42] A glance at the

[39] *Ibid.*, 392-394. Long's second filibustering expedition is not pertinent to this study as he did not set foot in the Neutral Ground territory, and as its chief events occurred after the proclamation of the Adams-Onís treaty, on February 22, 1821, which definitely ended the Neutral Ground.

[40] One of these works, the most extensive and earliest book of fiction concerning the Neutral Ground, appears to be based on sound historical account. The mingling of fiction, and the extremely anti-Spanish attitude of the writer, however, greatly detract from an otherwise entertaining account of the Gutiérrez-Magee expedition and the activities of the bandits of the Neutral Ground.—Hesper Bendbow (pseudonym of George W. Archer), *More Than She Could Bear: A Story of the Gachupin War in Texas, A. D. 1812-13.*

[41] J. Eugene Matlock has recently published *Gone Beyond the Law*, which presents a strange mixture of fact and fiction concerning life in the Neutral Ground and the East Texas Badlands, from 1815 through 1845.

[42] The fundamental cause for the origin of the Regulator-Moderator movement lies in the ill feeling that arose between the old settlers who had colonized Shelby County, Texas, after the Mexican Revolution and the new settlers who came into the county during and immediately following the Texas Revolution. This episode covered an active period of only four years, from 1840 to 1844.—Dr. Levi H. Ashcroft, "History of the Regulators and Moderators," MS. in the Archives of the University of Texas. For a fuller account of the organization and activities of this conflict, see John Warren Love, "The Regulator-Moderator Movement in Shelby County, Texas" (Master's thesis, University of Texas, 1936).

Ross Phares, in his book *Reverend Devil: A Biography of John A. Murrell*, gives an absorbing account of the activities of "America's first big-time gangster," in the South and in the Neutral Ground. The chronology of the book is confusing, however, and it is not clear whether Murrell operated in the Neutral Ground during or after the existence of this disputed territory as a separate entity. It is unlikely, however, that this ace of outlaws operated in the Neutral Ground before that strip of territory was incorporated into the United States by the Adams-Onís treaty of 1819-1821, since Murrell was born in 1800.

The most flagrant example of this type of poetic license is an article entitled "The Bloody Neutral Ground in Harrison County," by Eleanor Attebery, published in the *Texas History Teachers' Bulletin* (Volume XIV, No. 1, December 2, 1927). Miss Attebery opens her account with this line: "In this essay I have tried to give an interesting and accurate account of conditions existing in Harrison County between 1806 and 1845." The editor has inserted a note to the effect that "Harrison County was a part of the 'Neutral Ground' of the pioneer days. Miss Eleanor Attebery has given us a history of the part that her county took in the Regulator-Moderator disputes. Miss Attebery has won several prizes in the literary contests of Harrison County as well as in the musical contests."

chronology of events is sufficient to show that the Neutral Ground bandits and the participants in the east Texas conflict were two entirely distinct groups, though certain individual members may have taken part in the turmoil in both sections of the country. Even a cursory study of the kind and number of outlaws that roamed the Neutral Ground is ample to indicate that only a relatively small number of them survived in the Neutral Ground.

Outlaws commenced to move into the Neutral Ground soon after the agreement was signed between Herrera and Wilkinson. Early in 1807 rumors were heard in Texas that Burr's followers were finding shelter in the farmhouses located in the Neutral Ground.[43] The rumors could not be verified, however, without breaking the agreement, though the Spanish commandant at Nacogdoches suggested to the governor that he might "send parties on foot to cross the Sabine and reconnoiter the houses on our lands, expelling all suspicious persons who might have found their way there."[44] These rumors were persistent. "I have been apprised," wrote the commandant of Nacogdoches, "that in the territory between the Arroyo Hondo and the Sabine River several outlaws have introduced themselves."[45] Sergeant Diego Ximines, on his return from Natchitoches, reported that he had seen ten foreign men staying at Crow's[46] ranch. But the commandant stated, "it is impossible to know definitely whether those who find shelter there are outlaws."[47] The same sergeant reported that a German squatter named Funk and one of Crow's daughters had been secretly married by Doctor Sibley[48] and were living at La Nana ranch. Lieutenant Don José María Guadiana, who made a search for smugglers in the ranches between Nacogdoches and the Sabine,[49] reported having heard of about twenty men staying at Crow's home, and that some of them were seeking to smuggle livestock out of Texas. He then urged the governor to post a

[43] Francisco Viana to Antonio Cordero, February 15, 1807, MS., Bexar Archives.
[44] *Ibid.*
[45] Francisco Viana to Antonio Cordero, April 14, 1807, MS., Bexar Archives.
[46] Miguel Crow, because "he has always been a Spanish subject," was allowed to remain east of the Sabine. His ranch was situated on the left bank of the Sabine River on the north side of the main road to Natchitoches. Crow was arrested by an American raiding party and taken to Natchitoches in 1812, but was promptly released.—Manuel de Salcedo to Nemesio Salcedo, July 17, 1810, in E. 1-4-1800, 11v, MS., Bexar Archives; Diary kept by Lieutenant José María Guadiana, July 29-August 15, 1810, MS., Bexar Archives; Diary kept by Sergeant Ysidro de la Garza, April 5-21, 1812, MS., Bexar Archives.
[47] Francisco Viana to Antonio Cordero, April 14, 1807, MS., Bexar Archives.
[48] For a brief sketch of the life and activities of Doctor John Sibley, see G. P. Whittington, "Dr. John Sibley of Natchitoches, 1757-1837," *Louisiana Historical Quarterly*, X, 500-501.
[49] A census drawn up in 1810 lists the ranches within the jurisdiction of Nacogdoches, including the settlement of Bayou Pierre, and Crow's dwelling on the east bank of the Sabine at the ferryboat crossing. This list gives the names of the thirty-nine ranches, the names of the owners, and the distance of each ranch from Nacogdoches.—Census, April 14, 1810, MS., Bexar Archives. See Appendices C and D, below.

patrol of one hundred men on the frontier to protect the territory between Nacogdoches and the Sabine. Otherwise, he deplored, "it is impossible to prevent the outlaw citizens of the United States who have overrun the disputed territory from crossing the river and pillaging our country for there is no horse they will not steal and no crime they will not commit."[50]

The outlaws in this disputed area became so bold that the commandant at Nacogdoches asked for the assistance of the United States in removing them. He wrote to John C. Carr, civil judge at Natchitoches, that a large number of idle men from the United States had invaded the territory between the Arroyo Hondo and the Sabine River,[51] and suggested that, in view of the *status quo* agreement, an amicable remedy be found to alter the situation. He complained that many of the settlers living on the west side of the Sabine were abandoning their homes and lands and taking refuge in Nacogdoches because of the great losses in stock and damage to their farms inflicted by these Anglo-American outlaws.[52]

Judge Carr ignored the Spanish commandant's request and questioned General Wilkinson's authority to enter into the Neutral Ground agreement. Then, without making a decision on the amicable remedy suggested by the Spanish officer, he sent armed men into the Neutral Ground to capture certain horse thieves.[53]

The Spanish officer then appealed to Colonel Constantine Freeman, in command of the United States troops stationed in Natchitoches. He called attention to the fact that the Neutral Ground agreement had been made by the two army officers duly authorized by their respective governments, and, therefore, that it should be honored. Colonel Freeman admitted only that a civil officer had been sent into the disputed territory to make an arrest. He suggested, however, that all persons crossing this strip of land should be given passports, and that these passports should be honored by both authorities.[54]

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[50] Francisco Viana to Antonio Cordero, June 15, 1807, MS., Bexar Archives.

[51] One of these men, William Johnson, had been deported from Nacogdoches.—Cordero to Salcedo, September 4, 1807, MS., Bexar Archives.

[52] Viana to Cordero, September 22, 1807, MS., Bexar Archives.

[53] The Spaniards, on the other hand, ignored the fact that Judge Carr was sincerely interested in destroying the bands of outlaws ravaging Spanish territory, an interest that was shown by his action of sending armed men to capture lawbreakers.—Viana to Cordero, September 22, 1807, MS., Bexar Archives.

[54] The dispatch of Freeman was delivered by Lieutenant José María Guadiana, who kept a diary of his trip across the Neutral Ground. The diary, unfortunately, has not been found.—Viana to Cordero, October 5, 1807, MS., Bexar Archives.

Passports did not affect the outlaws or those who gave them shelter. People were moving into the Neutral Ground and clearing land for settlement and it was impossible for the authorities to distinguish between peaceful settlers and those who aided and abetted the bandits.[55] Furthermore, the outlaws continued to plunder and rob all travelers between Nacogdoches and Natchitoches and Bayou Pierre.[56]

Spanish and American authorities finally took steps to eradicate them. A joint expedition was sent into the disputed territory to drive out "everyone who has settled there after the convention made between General Wilkinson and Governor Don Simón de Herrera."[57] The expedition consisted of fifteen Spanish and fifteen American officers and men. Peter Samuel Davenport[58] was engaged as interpreter for the joint expedition. The Spanish contingent set out from Nacogdoches on July 29, 1810, and, on August 1st, joined the American detachment under Lieutenant Augustus Magee[59] at Las Piedras. It was decided to start the operation on the left bank of the Sabine, and, accordingly, the joint detachment set out at five o'clock the morning of August 2nd. At one o'clock they arrived at the Sabine, at the middle crossing where Miguel Crow had his ranch. In obedience to superior orders, Crow's house was not disturbed.[60] A house erected near Crow's home, however, was razed to the ground in short order. All other dwellings found between the Sabine River and Bayou Pierre, on the north, and Arroyo Hondo, on the east, were demolished or set on fire and the inhabitants, whenever

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[55] One of Samuel Davenport's muleteers reported that he had seen two American families living at Las Piedras Creek, near the site of Los Adaes. He also saw other families living on the north side of the highway. He added that he had seen two men clearing land for a farm on both sides of the creek at Las Piedras. At El Japón creek, nearer the Sabine, this witness saw another Anglo-American clearing land. He further reported that Miguel Crow had told him that Raymond Quirk and another American were clearing land on La Nana creek below the highway. An American, who had been living at Ormigas as a servant to Lafita, was establishing a ranch on the road between Ormigas and Natchitoches. At a place known as Vallecillo an American was living with Crow's foster daughter. Two other Americans were living below Las Salinillas on the creek known as El Negrito or El Toro, and they were planning to set up a lumber mill. A Spaniard married to an American woman was living in Crow's abandoned home and was working Crow's farm. This Spaniard was planning to go to Rapide and return with his father-in-law and his family.—Deposition given by Santiago Ruiz before Commandant Don José María Guadiana, March 22, 1810, MS., Bexar Archives.

[56] Don Marcelo Soto, the justice at Bayou Pierre, however, suspected that some of the livestock reported by the settlers to have been stolen was "not stolen but smuggled out by their owners."—[Antonio Cordero] to Governor Salcedo, August 17, 1809, MS., Bexar Archives.

[57] Governor Salcedo to Commandant of Nacogdoches, July 17, 1810, in E. 1-4-1810, 11v-13v, MS., Bexar Archives.

[58] For a brief biographical sketch of Davenport, see Chapter IV of this study.

[59] Magee later resigned his commission and joined Bernardo Gutiérrez in a filibustering expedition into Texas. He died in La Bahía [Goliad] in the winter of 1812.

[60] "No one shall be permitted to remain there except Miguel Crow because he has always lived there as a Spanish subject."—Governor Salcedo to Commandant of Nacogdoches, July 17, 1810, in E. 1-4-1810, 11v, MS., Bexar Archives.

found, were driven out.[61] Certain Spanish settlers said they were Spanish subjects and that they would like to remove to Texas. In view of superior orders, however, they were told to ask for a passport to that effect through Don Diego Morphy, the Spanish consul at New Orleans. Many of the houses destroyed were found vacant because the owners fled when the rumor of the approaching expedition reached them. On August 13th the Americans set out on their return to Natchitoches, and on the following day the Spanish detachment set out for the Sabine.

The work of this expedition was not wholly a success. It is true that many squatters were driven out and their dwellings destroyed; and, for a brief period, the Neutral Ground was quiet. This lull in the profitable occupation of highway robbery did not last and was resumed while the tracks of the Spanish-Anglo-American raiding party were still fresh. On December 27, 1811, José Zepeda, accompanied by three hired hands, set out from Nacogdoches on his way to Bayou Pierre. He was driving twenty-

[61] Miguel Crow's house was built on the east bank of the Sabine River at the middle ford, on the north side of the Nacogdoches-Natchitoches road. It was visited by a Spanish and American joint expedition on August 2, 1810.—Diary prepared by Lieutenant José María Guadiana, MS., Bexar Archives.

A house constructed near Crow's home, and belonging to José Maclanahan, was destroyed by the Spanish-American expedition of August, 1810.—*Ibid.* p. 1v.

Five leagues down the river, Santiago Cuningham and his companion by the name of Robertson had built a small house. The house was destroyed.—*Ibid.*, p. 2.

In an old house belonging to Crow, situated near Crow's home, lived José Miguel de Barenas, his wife María Ysabel Pasos, one child, and Barenas' father-in-law, named Gillermo Pasos, and Tomás and María Susana, Pasos' children. They were all driven to Natchitoches by the expedition.—*Ibid.*

Living with Crow's family was the foreigner Juan Funk, who had been married in Natchitoches by Doctor John Sibley to Isabel Charbonó, foster daughter of Crow. Funk was ordered to get out, but Isabel was allowed to remain with Crow.—*Ibid.*

North of the road lived Latham, and his house was destroyed by a group of American and Spanish soldiers.—*Ibid.*, p. 2v.

The home of Fenimore was destroyed on the banks of Las Piedras Creek.—*Ibid.*

At a place known as El Potrero, near Las Piedras Creek, Franklin's house was found but it was uninhabited.—*Ibid.*

Pedro Boliu and his family were living at a place known as La Gloria, and they were driven away.—*Ibid.*, p. 3.

South of Los Adaes Creek were the houses of Burger and Denny. They were driven out and their houses were destroyed.—*Ibid.*

A large house situated north of Los Adaes Creek, belonging to Juan L. Petit, was destroyed and he was driven out.—*Ibid.*

The widow of Bouquier had a house near Juan Mora's lake, but she was not disturbed. A man named Evans, on the other hand, who was living with her, was driven out. She was warned not to let a man named Juan Davis live there.—*Ibid.*, pp. 3v-4.

At Tierras Blancas Creek, in the home of Christian, the expedition found James Kirkham and his wife, who were working as servants, and they were driven out to Natchitoches. *Ibid.*, p. 4.

On Peach Creek, near Bayou Pierre, John and Edward Bolen and Charles Craig were found living in a house, and they were driven out to Natchitoches.—*Ibid.*

The houses of the widow Morban and that of Prudhome were not disturbed; they were near Bayou Pierre.—*Ibid.*

The expedition was told that a Spaniard named Ramirez, an Indian named José María, and a Negro, who formerly lived with the widow Morban, had returned to Louisaina.—*Ibid.*

Benjamin Colier, his wife, and an eight-year-old girl, were found to be living in an old house near Bayou Pierre. He claimed that the house and the land he was living on had been given to him by Colonel Freeman. He was ordered to move to Natchitoches.—*Ibid.*, p. 4v.

The settlement at Bayou Pierre was considered to be within the jurisdiction of Nacogdoches. It consisted of 29 heads of families, 18 women, 44 boys, 38 girls, and 36 slaves.—Census drawn up by José María Guadiana, April 14, 1810, MS., Bexar Archives. See also Appendix D, below.

five head of livestock and carried some cash, which he hoped to trade in Bayou Pierre for sugar, coffee, and farming implements. He crossed the Sabine and continued along the road to Tortuga, above Ormigas. At a place known as Arroyo Grande, his party was suddenly attacked from ambush by the bandits. The Spaniards promptly dismounted and returned the fire. From their ambush behind trees and reeds, however, the bandits had the advantage. Francisco Castañeda, one of the servants, was mortally wounded at the first volley. The two other servants were also wounded. Zepeda defended them stoutly but had to abandon his livestock and equipment to the bandits. He continued on foot, assisting the wounded men, until he reached the house of a squatter named Dolet. There he spent a week recuperating. Upon his return to Nacogdoches he was so ashamed of his defeat at the hands of the bandits that he refused to see anyone, and merely explained his chagrin by saying that "the damned Neutral Ground is cursed of the Devil."[62]

Don Apolinar Masmela was sent from San Antonio to Louisiana to purchase supplies for the army. When he arrived in Nacogdoches the commandant advised him not to cross the Neutral Ground.[63] His mission was urgent, however, and he insisted on making the trip to Natchitoches. Since his business was official, the commanding officer in Nacogdoches furnished him with an armed escort consisting of eleven soldiers and fifteen settlers. The caravan set out from Nacogdoches on February 12, 1812. On the 20th they reached the Sabine and crossed it with great difficulty because it was flooding its banks. On the 21st they set out from the Sabine across the Neutral Ground, and the following day, about ten o'clock in the morning, at La Nana Creek, the Anglo-American bandits attacked them. The first fire wounded Sergeant José Corona in the arm and leg, and Francisco Solís, a civilian, was instantly killed. The Spaniards stood their ground, however, and charged the bandits, killing three and wounding two and putting the rest to flight. "The fight lasted until 12 o'clock at which time I continued on my way," later reported Sergeant Corona.[64]

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[62] Case versus José Zepeda for crossing the Sabine without permission February 11, 1812, MS., Bexar Archives; Isidro de la Garza to Don Segundo de los Santos, January 13, 1812, *ibid.*

A detachment consisting of one officer, one sergeant, and six men of United States troops later captured an outlaw named Macoulen [McAllen?], who confessed to the murder of Castañeda.—Pablo Lafit to Bernardino Montero, March 12, 1812, *ibid.*

[63] Bernardino Montero to Don Manuel de Salcedo, January 13, 1812, MS., Bexar Archives.

[64] Diary kept by Sergeant José Corona, February 12-March 8, 1812, MS., Bexar Archives.

Notwithstanding their losses, this was a victory for the travelers. An admirer later reported that the bandits, in spite of their sheltered position behind trees and reed cane patches on the banks of La Nana Creek, fled in shameful retreat at the first charge leaving their dead and wounded on the field.[65]

Judge John C. Carr, of Natchitoches Parish, reported to Governor Claiborne[66] that a party of seventeen Spaniards had been attacked by thirty Americans. The Spaniards had arrived in Natchitoches with fifteen to twenty thousand dollars in specie with which they purchased merchandise. On or about the 24th of June, as they were about to cross the Sabine, a party of Anglo-American bandits attacked them and captured all their merchandise and mules. The Spaniards fled across the Sabine into Texas. Shortly thereafter, however, they rallied, recrossed the Sabine "and retook their property, together, it is said, with all that belonged to the Robbers."[67]

A similar attack was perpetrated by a party of thirty bandits on certain unoffending Spaniards on the road to Bayou Pierre. The bandits, "with their faces blacked, and otherwise disfigured," fired upon the travelers, killed one man, wounded several, "and robbed them of all their horses, mules, baggage and about six thousand dollars in specie."[68]

These attacks threatened to stop all commercial intercourse between Louisiana and Texas. To prevent such a calamity, a group of merchants of the parish of Natchitoches addressed a memorial to Governor Claiborne seeking a remedy to the deplorable situation.[69]

Upon receipt of this memorial Governor Claiborne wrote to General Wade Hampton, who was in command of the United States troops in the Orleans Territory, outlining a plan for the destruction of the Neutral Ground bandits. The governor stated that the civil authorities were wholly inadequate and that he had ordered the militia out for service in the disputed territory.

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[65] Bernardino Montero to Don Manuel de Salcedo, March 1, 1812, MS., Bexar Archives.

[66] For a biographical sketch, see Henry E. Chambers, "William Charles Cole Claiborne, Governor of Mississippi Territory and First Governor of Louisiana; How He Solved America's First Problem of Expansion," *Mississippi Historical Society Publications*, III, 247-259.

[67] John C. Carr to Governor Claiborne, July 4, 1811, in Clarence Edwin Carter (ed.), *The Territorial Papers of the United States*, Volume IX: *The Territory of Orleans, 1803-1812*, 943-944, (Hereafter this volume will be cited as *Territorial Papers*, IX.)

[68] *Ibid.*, IX, 977.

[69] The Memorial of Sundry Merchants of the Parish of Natchitoches to His Excellency William C. C. Claiborne, Governor of the Territory of Orleans, January 4, 1812, *ibid.*, IX, 976-978.

In view of the fact that the claim of the United States extended to the Sabine, and that the Act of Congress authorizing the inhabitants of Orleans to form a constitution recognized the Sabine as the western boundary, the governor felt justified in sending American troops into the Neutral Ground. He requested General Hampton to establish three temporary military posts between Arroyo Hondo and the Sabine River on the road leading to Nacogdoches for the protection of travelers.[70]

General Hampton did not respond readily to the governor's suggestion. The General regretted that he could not comply with the request to establish military posts in the Neutral Ground because, he pointed out, "The convention entered into between General Wilkinson and Colonel Herrera . . . has been so scrupulously observed by both Governments, that in 1810 in order to remove the Intruders from this slip of neutral ground *a joint operation* of the Troops of both Governments, was ordered."[71] He further believed that the evil complained of required no such violent remedy, that the disorders had at one time been removed by the military branch under an amicable arrangement, and that removal could easily be effected again.[72]

General Hampton took steps to clear the Neutral Ground. He issued an order to Lieutenant Colonel Zebulon M. Pike[73] "to remove the Intruders and Banditti from the slip of neutral ground lying between the Arroyo Hondo, and the Sabine."[74] He carefully explained to Lieutenant Colonel Pike that the Herrera-Wilkinson agreement was to be scrupulously observed. Because the evil complained of seemed to demand immediate attention, however, the general instructed him to establish his base at Natchitoches and from there to enter into "a correspondence with the nearest Spanish Commandant (of any considerable rank)" and invite him to undertake a joint operation in the Neutral Ground similar to the one carried out in 1810. "Should he fail to meet your invitation to a joint operation, either from motives of weakness, or disinclination," the general added, "I conceive you

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[70] Claiborne to Hampton, January 20, 1813, Rowland, *Official Letter Books of W. C. C. Claiborne*, VI, 34-36, 39.

[71] *Territorial Papers*, IX, 989-990.

[72] *Ibid.*

[73] For a biographical sketch of Pike, see Stephen Harding Hart and Archer Butler Hulbert (eds.), *Zebulon Pike's Arkansaw Journal, in Search of the Southern Louisiana Purchase Boundary Line*, pp. xii-xevi.

[74] Wade Hampton to Zebulon M. Pike, February 6, 1812, *Territorial Papers*, IX, 998-1000.

will be jusitfied . . . in effecting the object with the forces confided to you."[75] He instructed him to retire from the Neutral Ground as soon as his mission was accomplished and not to establish any permanent settlement there.

Lieutenant Colonel Pike promptly carried out the general's orders. Two weeks after receiving these orders, Pike was based in Natchitoches, and, on February 26, 1812, he addressed Captain Don Bernardino Montero, commandant of Nacogdoches, on the subject of his mission. Since his time was limited, and the evil at hand demanded prompt action, however, he informed the Spanish commandant that, if for any reason no Spanish troops were available for a joint expedition, he would send a detachment of United States troops into the Neutral Ground.[76]

Captain Bernardino Montero was prompt to reply, but stated that he was not authorized to undertake the proposed joint expedition. He added, however, that he was sending Pike's letter by special messenger to the governor of the province.[77] About three weeks later, Captain Montero again wrote to Pike informing him that the governor had just given his approval for a joint expedition.[78]

Lieutenant Colonel Pike did not wait. On the 5th of March he ordered two officers and forty men sent into the Neutral Ground. The expedition destroyed all houses, tents, and camps they encountered. They captured sixteen men, thirty-five horses and mules, and many bundles of merchandise, arms, and ammunition.[79] Captain W. H. Overton, who was in command of the garrison at Natchitoches, offered to cooperate with the Spanish authorities in future periodic raids into the Neutral Ground. At the same time he stated that, since his troops had cleaned up the Neutral Ground, there was no need for a Spanish detachment to go into the disputed territory.[80]

The Spanish commandant did not heed Captain Overton's suggestion. The governor of Texas had ordered that, "If Lieu-

[75] *Ibid.*

[76] Z. M. Pike to Bernardino Montero, February 26, 1812, MS., Bexar Archives; Bernardino Montero to Manuel de Salcedo, March 1, 1812, *ibid.*

[77] Bernardino Montero to Z. M. Pike, March 1, 1812, MS., Bexar Archives.

[78] Bernardino Montero to Z. M. Pike, March 23, 1812, MS., Bexar Archives.

[79] Captain W. H. Overton to Bernardino Montero, March 27, 1812, MS., Bexar Archives. Judge H. M. Brackenridge states, "While discharging the duties of Attorney General of Louisiana, I was called upon, in the latter part of 1812, to prosecute fourteen persons at Natchitoches for highway robbery." He adds that these men were captured by a military force sent out from Natchitoches under Lieutenant Augustus Magee. The records of the trial of these men would doubtless yield unusually interesting details of the activities of these brigands. I have made a fruitless search for them.

[80] Captain W. H. Overton to Bernardino Montero, March 27, 1812, MS., Bexar Archives.

tenant Colonel Pike has gone ahead alone to clean up the Neutral Ground, Captain Don Ysidro de la Garza, shall not fail to carry out his expedition."[81] In compliance with this order, Captain Don Ysidro de la Garza set out from Nacogdoches on April 5, 1812, with a detachment consisting of one sergeant, two corporals, and seventeen privates. On the 9th he crossed the Sabine in a small canoe that held only four men. On the left bank of the river, at Miguel Crow's ranch, they found two women and several children. One of the women told them that her husband, Miguel Crow, had been taken prisoner by the American soldiers, and that the Americans had sacked her house and killed her livestock and stolen her earrings. She added that she had just received word from her husband telling her that he had been released by the American authorities. She stated that no one had come near her house since the American troops had been there, and that she did not know whether anyone else was living in the Neutral Ground.

The expedition continued toward Natchitoches. Don Samuel Davenport, who had been engaged as interpreter, left his foster son, John Durst, to take his place and went on to Natchitoches to attend to personal business. Only the charred remains of houses burned by the American raiding troops were to be found. Upon Davenport's return from Natchitoches, he told the Spanish officer that three of the outlaws captured by the Americans, Lorenzo, Coquet, and Sterret, had escaped into the Neutral Ground. Having someone to look for, the Spanish officer turned north toward Bayou Pierre in search of the escaped outlaws. He did not find anyone, however, perhaps because an Indian was running ahead of the expedition warning everyone of the approach of the Spanish soldiers. Heavy rains hampered the operations of the expedition, and it was a complete failure. On the 21st of April the Spanish detachment returned to Nacogdoches, where Captain Ysidro de la Garza turned in his detailed but barren report in the form of a diary.[82]

This Spanish expedition was the last major effort made by the Spanish and American authorities to clear the Neutral Ground of outlaws. A few months after the operation of this expedition, the bandits returned to their former haunts under the leadership of Augustus Magee, the former lieutenant in the United

[81] Governor of Texas to commandant of Nacogdoches, March 12, 1812, MS., Bexar Archives.
[82] Diary kept by Don Ysidro de la Garza, April 5-21, 1812, MS., Bexar Archives.

States Army who had so ruthlessly uprooted them earlier in that year, and Bernardo Gutiérrez de Lara, a Mexican patriot. Not all the filibusters may be classed as bandits; there were many well-meaning adventurers who truly had hazy ideas of liberating the oppressed Mexican people from the yoke of Spain. Nevertheless, to awaken the slumbering altruism in the more callous, a New Orleans newspaper carried the enticing lines: "Cash!—for those who will fight for it! . . . There is a great deal of money at San Antonio, and the property of the royalists collected there, is immense."[83] And, in a proclamation issued in Nacogdoches by Gutiérrez, he promised that "the right of taming and disposing of the wild horses and mules which roam unclaimed" would be given his followers, and that all surplus property confiscated would be divided among the troops.[84]

Fugitive Slaves.—The constant lure of the Neutral Ground and Spanish territory to slaves in Louisiana was also a threat to the peace of mind of slaveowners on the frontier. Slaves were attracted to the disputed area because it offered a respite from their state of bondage and a bridge into Spanish dominions, where Spanish law and design promised them freedom. Slaveowners were uneasy because of the propsect of the loss of their slaves, who were costly property[85] and because of the danger of a rebellion in Louisiana, where the black population was more numerous than the white.

Soon after the acquisition of Louisiana by the United States, a group of sixty-one inhabitants of the district of Natchitoches hastened an appeal to Edward Turner, military commandant of Natchitoches, asking for protection against a law of the king of Spain which gave refuge and protection to foreign slaves that fled to Spanish dominions.[86] A few days later several New Orleans

[83] *Louisiana Courier*, September 25, 1812.

[84] *Niles' Weekly Register*, October 17, 1812.

[85] "No question concerning slavery is more difficult to handle than the value of slave property. The selling price of individual negroes and of lots of them can be found in the county records and in the newspapers, but to generalize on these figures for any one period or to compare values in different periods would be most misleading. . . . On the other hand, by comparing the price brought by bodies of negroes about the same age and in the same locality an approximately sound conclusion is reached. In general it can be said that there was a gradual rise in slave values up to the Civil War. It was exceptional indeed when a negro brought over $500 before 1830."—H. A. Trexler, "Slavery in Missouri, 1804-1845," in Johns Hopkins University *Studies in Historical and Political Science*, Series XXXII, No. 2, pp. 37-38.

The House of Barr and Davenport listed several slaves in its holdings, among them "Bill a negro fellow about 35 years old worth 500, Silvey, a negro wench about 35 years old with a child 10 months old worth 500, Lewis a mulatto boy about 11 years old worth 450, Isaac a negro man about 70 and his wife Mary a negro woman about 50 years old worth 300."—Statement of the existing property of the company in the Province of Texas, 1809, MS., in Department of Archives, Louisiana State University, (Photostatic copies in the University of Texas Archives).

[86] Petition to Turner, July 29, 1804, *Territorial Papers*, IX, 273-274.

planters addressed a similar petition to Governor Claiborne praying for prompt relief in the suppression of a rumored slave uprising.[87] A few weeks later Dr. E. Cooley, a planter from Pointe Coupée, on behalf of one hundred planters of that district, wrote a letter to Governor Claiborne stating that they had discovered a plan among their slaves for a general insurrection. He claimed that the Negroes, encouraged by news of the revolution of Santo Domingo, were generally disposed to be rebellious. He prayed for a military detachment and the loan of one hundred muskets.[88]

Upon receipt of these pleas for help, Governor Claiborne issued a circular to district commanders warning them to be on the alert and to post strong guards at night.[89] He communicated at various times with Marqués de Casa Calvo, Spanish boundary commissioner in New Orleans, requesting the return of fugitive slaves and the repeal of the Spanish law.[90]

Casa Calvo wrote to Governor Claiborne informing him that he would attempt to suspend the execution of the Spanish law. A few days later he wrote to the military commandant of Nacogdoches and to the Commandant General of the Interior Provinces requesting the repeal.[91]

Casa Calvo informed the Commandant General that he had received several complaints from the American governor because slaves were finding refuge in Spanish territory. He added that Governor Claiborne had further stated that the insubordination of the slaves was caused by an offer of freedom made to them by the Spanish commandant at Nacogdoches.[92] Casa Calvo then cited a recent case of the escape of nine slaves who were caught in the Neutral Ground and returned to Natchitoches. In order to

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[87] Petition of the Inhabitants and Colonists of Louisiana to His Excellency William C. C. Claiborne, *ibid.*, IX, 297.

[88] Petition to Governor Claiborne by Inhabitants of Pointe Coupée, November 9, 1804, *ibid.*, IX, 326-327.

[89] Claiborne to District Commanders, November 8, 1804, Territorial Papers, Orleans, MS., in the National Archives, Washington, D. C. Microfilm copies in the University of Texas Archives. [Hereafter cited as Territorial Papers (Microfilm).]

[90] Casa Calvo to Don Pedro Cevallos, August 20, 1804, A. G. I., Aud. de Guad., 104-2-9, (Dunn Transcripts, 1753-1818, p. 161); Casa Calvo to Claiborne, November 6, 1804, Territorial Papers (Microfilm).

[91] Casa Calvo to Claiborne, November 6, 1804, Territorial Papers (Microfilm); Casa Calvo to Commandant General Nemesio Salcedo and to Captain José Joaquín de Ugarte, November 10, 1804, A. G. I., Aud. de Guad., 104-2-9 (Dunn Transcripts, 1753-1818, pp. 176-177).

[92] Don José Joaquín de Ugarte, the commandant of Nacogdoches, deemed it a matter of honor to clear himself of this charge. He, therefore, submitted to the Commandant General a copy of a letter addressed to him on November 14, 1804, by several residents of Natchitoches, thanking him for his assistance in preventing a slave rebellion. He also stated that he had read the law of April 14, 1789, to several Louisiana settlers in Nacogdoches at their own request.—December 26, 1804, A. G. I., Aud. de Guad., 104-2-9 (Dunn Transcripts, 1753-1818, pp. 181-185).

forestall the reciprocal harm that would ensue from the policy of giving refuge to fugitive slaves he requested the annulment of the royal order of April 14, 1789, which guaranteed freedom to any foreign slave that escaped into Spanish dominions.[93]

The Commandant General refused to annul or suspend the law of 1789. He alleged that he had no authority to stop the operation of any royal decree, and further claimed that international law alone would compel him to protect any human being, slave or free, that appealed for the protection of the Spanish authorities. He merely promised to hold them in custody pending further royal instructions.[94]

As if to belie his pious motives, a few months later, the Commandant General ordered the governor of Texas to take advantage of the law of 1789 to check American westward expansion. He justified his attitude by stating that every possible advantage should be taken to stop the incursions of the Anglo-Americans. He then ordered the governor: "The instant any hostile move is made by the United States, Your Lordship shall publish a proclamation . . . declaring that any negro slave who takes refuge in Spanish territory will be given his freedom."[95] Thus the Spanish government was to maintain the Neutral Ground and the Texas frontier free from Americans by nursing a constant threat of a mass slave exodus or a slave rebellion.

The report of the possibility of freedom under the Spanish flag spread rapidly among the slaves. Many of them fled into the Neutral Ground and later entered Texas. Seven fugitive slaves reported to the commandant at Nacogdoches on May 23, 1806, seeking asylum. They presented a passport from a judge in Kentucky, but it later proved to be forged. On July 12, 1806, Jacob Bean, a planter from Opelousas Parish, arrived in Nacogdoches demanding the return of the seven slaves and reporting that they had robbed him. The commandant refused to release the slaves to him.[96] On October 9, 1808, between thirty and forty slaves ran away from a plantation on Cane River in Natchitoches Parish and fled into the Neutral Ground. They were closely

[93] For the complete text of this law, see A. G. I., Aud. de Guad., 104-2-9 (Dunn Transcripts, 1753-1818, pp. 218-221).

[94] Nemesio Salcedo to Marques de Casa Calvo, January 20, 1805, A. G. I., Aud. de Guad., 104-2-9 (Dunn Transcripts, 1753-1818, pp. 191-193).

[95] Nemesio Salcedo to Antonio Cordero, August 20, 1805, MS., Nacogdoches Archives, State Archives, Austin, Texas.

[96] Nemesio Salcedo to W. C. C. Claiborne, September 18, 1806, (Hackett Transcripts, Prov. Int., Vol. 200, p. 139).

pursued but managed to make their escape. Shortly after they crossed the Sabine River, however, a group of eight of them encountered a party of Americans returning from Nacogdoches. The Americans fired on the slaves, wounded one, and captured all of them. These slaves reported that the others had traveled down the Neutral Ground and crossed the Sabine below the road in order to avoid Nacogdoches.[97]

Efforts were immediately made by John Carr, judge of Natchitoches Parish, to recover the fugitive slaves for the owners. He communicated with Don Manuel de Salcedo, governor of Texas, and with Governor Claiborne. To the Spanish governor he reported that a party of men under Monsieur Louis Derbanne was in the Neutral Ground in search of the fugitives, and begged his cooperation in the capture and return of the slaves. To Governor Claiborne he reported that he had written to the Spanish governor requesting assistance in the capture, and confided, "Governor Salcedo, whilst here, told me he would send back instantly, any runaway slave who might enter Texas after he had taken command; but could not promise to do as much with those who had already taken refuge there."[98] He explained further that Governor Salcedo was in favor of returning all fugitive slaves, but feared his superior, the Commandant General, who was inflexible in his policy of giving refuge to fugitive slaves. Judge Carr expanded on the danger of the flight of such a large number of slaves, especially when eighteen of these belonged to a single planter. He stated that the planters were becoming restless and wanted to take the law into their own hands. They had asked him for permission to organize a posse of two hundred men and invade Texas as far as the Trinity River, where fugitive slaves were known to be kept.[99]

Several attempts were made by slaveowners to put a stop to the evil of Spanish freedom to fugitive slaves. When other appeals to Spanish officers failed, three Natchitoches justices addressed a letter to the governor of Texas demanding the return of fugitive slaves on the basis of Article 20 of the treaty of friendship

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[97] John C. Carr to Governor Claiborne, October 21, 1808, MS., Territorial Papers (Microfilm).

[98] *Ibid.*

[99] *Ibid.* At the opening of 1808, only fifteen fugitive slaves were listed in Texas, seven in Nacogdoches and eight in Trinidad de Salcedo, on the Trinity River.—Report of fugitive slaves, February 9, 1808, MS., Bexar Archives.

of 1795.[100] At the same time they sent a committee of three men to receive all fugitive slaves.[101] The Commandant General promptly rejected the treaty claim, stating that "asylum given to people who seek it because of cruel treatment elsewhere and which is given to them in accordance with international law does not fall within the provisions of Article 20 of the treaty of 1795."[102] Governor Claiborne suggested a reciprocal exchange of fugitive slaves.[103] The suggestion was supported by James Madison in a letter to the Spanish diplomatic representative in Philadelphia.[104] The Spanish reply to this proposal was that a formal treaty should be made for the reciprocal return of fugitive slaves on all frontiers bordering on the United States and not only along the Louisiana-Texas frontier. Reciprocity would not be fair, it was alleged, unless it was extended every where because Spaniards owned practically no slaves in Texas, whereas they owned large numbers on the frontier of Georgia, where American-owned slaves were few.[105]

The problem was never legally solved. Don Nemesio Salcedo refused to enter into any kind of negotiation regarding the return of fugitive slaves. He claimed that the matter was out of his hands and in diplomatic channels, and that he could do nothing to relieve the situation because of the Napoleonic war.[106] Don Manuel de Salcedo, Governor of Texas, however, ignored the Commandant General's stringent orders and made good his promise to Judge Carr. By the opening of 1809, the governor had arranged, extralegally, to return fugitive slaves to their owners.[107] Being thus deprived of their asylum, slaves had no good reason for escaping.

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[100] Article XX: It is also agreed that the inhabitants of the territories of each Party shall respectively have free access to the Courts of Justice of the other, and they shall be permitted to prosecute suits for the recovery of their properties, the payment of their debts, and for obtaining satisfaction for the damages which they may have sustained, whether the persons whom they may sue be subjects or Citizens of the Country in which they may be found, or any other persons whatsoever who may have taken refuge therein; and the proceedings and sentences of the said Court shall be the same as if the contending parties had been subjects or Citizens of the said Country.—Miller, *Treaties and Other International Acts of the United States of America*, II, 334-335.

[101] John C. Carr, Justice Rouquier, and Justice Paillette to Governor of Texas, September 5, 1807, A. G. I., Aud. de Guad., 104-2-9 (Dunn Transcripts, 1753-1818, pp. 201-202).

[102] Nemesio Salcedo to Antonio Cordero, October 28, 1807, A. G. I., Aud. de Guad., 104-2-9 (Dunn Transcripts, 1753-1818, p. 203).

[103] Claiborne to Manuel de Salcedo, October 1, 1807, A. G. I., Aud. de Guad., 104-2-9 (Dunn Transcripts, 1753-1818, p. 204). English translation in Territorial Papers (Microfilm).

[104] James Madison to Marques de Casa Irujo, November 20, 1807, A. G. I., Aud. de Guad., 104-2-9 (Dunn Transcripts, 1753-1818, p. 215).

[105] Marques de Casa Irujo to Don Valentín de Foronda, November 24, 1807, A. G. I., Aud. de Guad., 104-2-9 (Dunn Transcripts, 1753-1818, p. 216).

[106] Nemesio Salcedo to Governor Claiborne, April 19, 1808, MS., Territorial Papers (Microfilm).

[107] John C. Carr to Governor Claiborne, March 3, 1809, in *Louisiana Courier*, March 29, 1809.

CHAPTER IV

TRADE

The Neutral Ground was the bridge over which passed most of the trade carried on between Texas and Louisiana. Spain had restricted and prohibited commercial intercourse with Louisiana, but the urgent need that often developed for supplies compelled frontier authorities to amend all prohibitory legislation whenever necessity dictated such a course. Spanish commercial policy gave rise to a highly profitable smuggling trade for which the Neutral Ground served as an ideal base. Traders' caravans going across the disputed area, or to the Indian villages, presented an excellent opportunity for plunder. Bandits infested this area and forced both the Spanish and American governments to send armed detachments into the Neutral Ground to clear the trade routes. Closely connected with trade in and across the Neutral Ground was the firm of Barr and Davenport which operated profitably until the Gutiérrez-Magee filibusters invaded Texas.

Spanish Restrictions on Texas-Louisiana Trade.—The exclusive and restrictive commercial policy of Spain was persistent and far-reaching. From the earliest years of the conquest of America until the Ordinance of Free Commerce was issued in 1778,[1] colonial trade was bound by many rules and regulations. Nevertheless, Spanish policy was flexible and could adjust itself to local conditions.

Restrictions on trade across the Texas-Louisiana border were in effect from the earliest years of conquest and exploration to the last days of Spanish dominion. The history of commercial limitations in this area falls into three definite periods: first from the earliest period of exploration to 1762; second, from 1762 to 1803, the period of Spanish control of Louisiana; and, third, from 1803 to 1819, the period including the Neutral Ground. During the first period a sharp contest developed between France and Spain for control of the Indian trade of east Texas and western Louisiana, with territorial possession as the ultimate objective. "The principal weapon used by the French was the Indian trader and agent; by the Spaniards, the Franciscan missionary, each being backed by a small display of military force."[2] The

[1] Arthur Preston Whitaker, *Documents Relating to the Commercial Policy of Spain in the Floridas*, p. ix.

[2] Herbert Eugene Bolton, *Athanase de Mézières and the Louisiana-Texas Frontier, 1768-1780*, I, 29.

attempt of LaSalle in 1685 to spread French influence to Texas caused a flurry of activity by Spain to establish control over her territorial claim to the Texas border.[3] The early attempts of French traders like Saint Denis to extend their activities to the Texas Indian tribes led to counteraction on the part of Spain, culminating in the establishment of settlements and missions in east Texas and in the territory of the Neutral Ground.[4] As a further check to French trade expansion Spanish authorities prohibited all form of trade with Louisiana.[5] This prohibition persisted as a check against French westward expansion until 1762, when Louisiana passed to the dominion of Spain.

After 1762 trade between Louisiana and Texas was still prohibited although reasons for this prohibition were not readily apparent. A few years after the Louisiana transfer, Don Teodoro de Croix,[6] commandant general of the Interior Provinces, wrote to the king urging the opening of trade between Louisiana and Texas. He stated that he was ignorant of the good reasons his majesty had for such prohibition, and pointed out that this policy was founded on the risks of encouraging contraband trade when the French owned Louisiana and when the British were entrenched on the banks of the Mississippi ready to divert profits from the Spanish treasury to themselves. These causes, he continued, had been removed by the elimination of the English, the acquisition of Louisiana, and the establishment of free trade in various ports of Spain. It was his suggestion that the opening of free overland trade and the licensing of a seaport in Texas for free trade between Louisiana and Texas be provided. He offered a trade route from San Antonio to the Trinity, down the Trinity to the Gulf coast, and thence by boat to New Orleans. Communications thus opened by land would facilitate trade and control of Indians as far north as New Mexico. The trade route down the Trinity would cause the Province of Texas to flourish and grow

[3] For an excellent account of the La Salle incident, see Charmion C. Shelby, "International Rivalry in Northeastern New Spain, 1700-1725" (Doctoral dissertation, University of Texas). See also W. E. Dunn, "The Spanish Search for La Salle's Colony on the Bay of Espíritu Santo, 1685-1689," *Southwestern Historical Quarterly*, XIX, 323-369, and H. E. Bolton, "The Location of La Salle's Colony on the Gulf of Mexico," *ibid.*, XXVII, 171-189.

[4] Dunn, *Spanish and French Rivalry in the Gulf Region of the United States, 1678-1702*; H. E. Bolton, "The Spanish Occupation of Texas, 1519-1690," *Southwestern Historical Quarterly*, XVI.

[5] Decreto, Mexico City, January 8, 1714, mentioned in Shelby, "International Rivalry in Northeastern New Spain," 121; Royal Cedula, June 11, 1718, and Royal Cedula, December 5, 1720, A. G. M., Historia (Hackett Transcripts, Vol. 321, pp. 101-107, 120-122).

[6] For a sketch of his activities, see Alfred Barnaby Thomas, *Teodoro de Croix and the Northern Frontier of New Spain, 1778-1783*, 16-68.

rapidly. He visualized all the east Texas tribes settled in well-cultivated communities, carrying on a brisk trade with Louisiana.[7]

To emphasize the confusion existing about Louisiana-Texas trade relations, Don Teodoro quoted a letter written to him by the governor of Texas discussing the case of a certain Spanish officer from Louisiana who had entered Texas with merchandise to trade for horses. Not knowing what to do, the governor of Texas had consulted with the viceroy, who replied by stating that an exception should be made in this case and that the officer should be allowed to trade his merchandise for horses. In the future, however, no merchandise was to be allowed to enter Texas. Nothing was said about the exportation of horses to Louisiana. Consequently the viceroy's ruling was interpreted to mean that livestock could be traded across the Louisiana-Texas border.[8]

In support of Don Teodoro, Don José de Gálvez,[9] Visitor General to New Spain, heartily endorsed the opening of a seaport in Texas and the development of roads. He argued that eventually Americans would advance westward and attempt to invade the dominions of Spain. The absence of roads, he continued, would not stop them, for "American woodsmen, far from desiring the facility of roads, prefer the woods because they are better adapted to that form of travel."[10] Good roads, he added, would facilitate observation and patrolling of the frontier.

The request for the opening of free trade between Louisiana and Texas, together with supporting endorsements, was submitted to the Royal Consular Tribunal for his opinion. After a minute study of the case, answers were given to the questions raised by Don Teodoro de Croix regarding the Texas-Louisiana trade. It was shown that New Spain was almost wholly dependant on the Interior Provinces for certain agricultural articles. Although normally New Spain produced grains for its consumption and for the island trade, it was necessary for that section of the empire to draw annually from the Interior Provinces thirty thousand head of cattle, three hundred thousand sheep, and

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[7] Cavallero de Croix to Don Joseph de Gálvez, June 2, 1783, Archivo General de Mexico, Provincias Internas (Bolton Transcripts, Vol. 182, pp. 36-42). (Hereafter cited as A. G. M., Prov. Int.).

[8] Governor of Texas to Don Teodoro de Croix, May 24, 1783, A. G. M., Prov. Int. (Bolton Transcripts, Vol. 182, pp. 44-49).

[9] For a biographical sketch of José de Gálvez, see Herbert Ingram Priestly, *José de Gálvez, Visitor-General of New Spain, 1765-1771*, 1-11.

[10] Joseph de Gálvez to the king, February 6, 1783, A. G. M., Prov. Int. (Bolton Transcripts, Vol. 182, p. 53).

two hundred thousand goats. These imports furnished fats for lighting purposes in homes and mines, and leather for shoes. Likewise, eight to ten thousand mules were imported to be used as beasts of burden and in the mines. And, lastly, one hundred thousand *arrobas* [2,536,000 pounds] of wool were imported for the manufacture of coarse woolen material worn by the laboring class. It was also shown that because of the continuous Indian raids and depredations, most of the Interior Provinces were unable to furnish their quota of livestock to New Spain. Coahuila and New Santander were being forced to draw heavily upon Texas. Therefore, if livestock was exported from Texas to Louisiana, the reserve supply for New Spain would be diminished to a dangerous point. For these reasons, the Royal Consular Tribunal was opposed to the opening of trade with Louisiana until the Indian menace could be eliminated.[11]

Shortly thereafter, Don Domingo Cabello, Governor of Texas, added his objection to the opening of trade between Louisiana and Texas. He stated that he had always opposed trade between these two provinces because Louisiana settlers were "greedily eager to enjoy the cattle of Texas, both the wild stock and the herds owned by the settlers in exchange for merchandise instead of money."[12] He added that he had always considered this type of trade detrimental to commerce between Mexico City and San Luis and Saltillo. If trade were opened with Louisiana, he averred, goods could easily be smuggled through Texas into Coahuila, New León, and New Santander. Thus the royal revenue would lose much because the volume of merchandise taken from Mexico City to these provinces would diminish. Not only in this branch of commerce, but also in the sales of tobacco the royal income would suffer because of the facility with which the people of Louisiana could bring their tobacco into all the Interior Provinces. Tobacco, he pointed out, was raised in great abundance in Louisiana, and the price of four reales per three-pound twist was extremely low. With regard to transporation, he emphasized the difficulties of opening a seaport on the coast and the hazards of overland trade.[13]

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[11] Sala del Consulado de Mexico, September 7, 1786, A. G. M., Prov. Int. (Bolton Transcripts, Vol. 182, pp. 65-75).

[12] Domingo Cabello to the viceroy, November 25, 1787, A. G. M., Prov. Int. (Bolton Transcripts, Vol. 182, pp. 89-110).

[13] In this *expediente*, the governor gives an historical account of the exploration of the Gulf coast.—Domingo Cabello to the viceroy, November 25, 1787, A. G. M., Prov. Int. (Bolton Transcripts, Vol. 182, p. 182).

The case of the Louisiana-Texas trade eventually came before the king. His decision was brief: "His Majesty has decided that no change is to be made until further orders are issued."[14] The previous indecisive policy, therefore, continued to be observed for the duration of Spanish domination of Texas and Louisiana.

Shortly after the United States acquired Louisiana, trade between Louisiana and Texas was wholly prohibited. The commandant general instructed the governor of Texas to keep all foreigners out of Texas. He explained that, although Article V of the Treaty of 1795 provided that trade with the Indian tribes would be common to both powers,[15] this declaration was directed toward keeping at peace the dependent tribes of both governments. He added that "the establishment of trade, if it should induce the least alteration in the friendship of the Indian tribes, was never authorized." Then he concluded, "It has been ordered that the introduction of foreigners into our territory shall not be permitted; it is, therefore, fitting that this order be carried out by all possible means."[16]

The order was relayed to the commandant of Nacogdoches, who violently objected to its enforcement. "To conform with it," he argued, "I shou'd be forced to cut off entirely all intercourse and communication with the province of Louisiana." This action, he insisted, would be a serious detriment to the inhabitants of Nacogdoches, to the friendly Indian tribes, and to all the province because, lacking trade facilities with which to maintain themselves and to supply the Indian tribes, they would suffer for want of necessities.[17]

His objections made no impression on the commandant general, who merely repeated his prohibitory orders. He asserted that the royal order of September 28, 1805, which had opened San Bernardo as a port of entry,[18] did not include "permission for the inhabitants of that province to provide themselves with articles

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[14] Gardoqui to the viceroy, April 3, 1783, A. G. M., Historia (Hackett Transcripts, Vol. 321, p. 236).

[15] For the full text of this article, see Miller, *Treaties and Other International Acts of the United States of America*, II, 322-323.

[16] Nemesio Salcedo to Antonio Cordero, November 2, 1805, MS., Bexar Archives.

[17] Sebastián Rodríguez to Antonio Cordero, December 5, 1805, MS., Bexar Archives.

[18] After many years of studying the feasibility of opening a seaport in Texas, the king finally issued an order to the effect that, "since there is no legal port of entry on the coastline of New Spain and the Interior Provinces through which the inhabitants of Texas may provide themselves with the necessary supplies or export their products other than Vera Cruz—and this port is more than six hundred leagues from the Bay of San Bernardo in Texas—upon your recommendtaion and that of the governor of Texas, His Majesty has openod the Bay of San Bernardo as a minor port."—Miguel Cayetano Soler to Commandant General of the Interior Provinces, September 28, 1805, MS., Bexar Archives.

from Louisiana or from any other foreign port; likewise, it does not permit these inhabitants to sell or trade their products, effects, and manufactures through said port to foreigners."[19] And when, a few months later a Spanish officer bought one ream of paper in Natchitoches, the commandant general bluntly reprimanded him. Even at the time when Louisiana belonged to the king, he asserted, "all manner of trade, commerce, or intercourse with inhabitants of Louisiana was prohibited." Therefore, he railed, "you had no right to purchase in Natchitoches one ream of paper that you state you needed." Consequently, he commanded, "I hereby instruct you not to repeat the offence, and scrupulously to prevent the introduction into the territory under your jurisdiction of any articles proceeding from that source."[20]

The soundness of the objections raised by Captain Rodríguez was made evident when a pirogue from Natchez loaded with merchandise landed at the mouth of the Trinity. Four Spaniards brought a cargo of nine barrels of brandy, four *arrobas* [101.44 pounds] of coffee, four *arrobas* of sugar, and three *arrobas* of rice. When the news reached the commandant general, he immediately ordered the commandant of Atascosito—a post located about forty miles up the Trinity—to compel the traders to return to their point of departure without selling or trading any of their cargo.[21] By the time the order reached Atascosito, however, the cargo had been disposed of. The commanding officer at Atascosito explained that he had purchased some of the provisions himself because his men were sick and hungry. At one time, he stated, conditions were so bad that "not one man was able to kill a beef or to make a *tortilla*, and this was the only food available to us." He further explained that he had ordered the brandy reloaded on the pirogue, but that the Indians had gone down to the coast and traded deer hides for it and were continually drunk.[22]

The need for a close base of supplies was further emphasized by the commandant of Nacogdoches. He declared that the government had exhausted the means of maintaining the troops on the east Texas frontier, and that it could not continue to send supplies regularly "because of the great distance and poor con-

[19] Nemesio Salcedo to Antonio Cordero, April 21, 1806, MS., Bexar Archives.
[20] Nemesio Salcedo to Antonio Cordero, July 15, 1806, MS., Bexar Archives.
[21] Nemesio Salcedo to Antonio Cordero, August 14, 1806, MS., Bexar Archives.
[22] Geronimo de Herrera to Antonio Cordero, September 16, 1806, MS., Bexar Archives.

dition of roads and swollen rivers that delay the passage of the mule trains."[23]

The case of Don Francisco de la Rosa clearly brought out the need for trade between Louisiana and Texas. De la Rosa was one of many Spaniards living in Louisiana who, dissatisfied with the American government, wished to immigrate to Texas. After obtaining permission from the Spanish consul in New Orleans to move his family and personal property to Texas, he sold everything he had, purchased a schooner and about 3,000 pesos [$4,375.20][24] worth of merchandise. He then set sail and landed at Matagorda on the Texas coast. Although orders had been issued for the arrest of De la Rosa on suspicion of contraband, Don Bernardo Bonavía, military governor of Texas, did not receive the orders in time to comply with them. Acting on his own initiative, and heeding the pleas of De la Rosa—who claimed that his merchandise would spoil lying at anchor—the governor purchased most of the cargo and distributed it among his troops. De la Rosa was then given a draft for 19,000 pesos [$27,709.60] and was allowed to proceed to Vera Cruz to cash it.

In the meantime the commandant general learned of the distribution of De la Rosa's merchandise in Texas and at once stopped payment on the draft. De La Rosa reached Vera Cruz and, failing to collect, set sail again, but was shipwrecked shortly thereafter. He and all his crew perished. His widow filed suit for collection of the 19,000 pesos. When the case came up before the royal tribunals, the question was raised as to the right of De la Rosa to sell anything in Texas in view of standing prohibitions against foreign trade.

The point of interest to this study is the fact that Don Simón de Herrera, acting under Bonavía, was accused of collusion with the trader De la Rosa. This charge was never proved, though it was pointed out that De la Rosa had obviously made a clear profit of 16,000 pesos.[25] It is interesting to note, too, that the widow of De la Rosa was paid the 19,000 pesos.

The accusation of collusion against one of his officers was deeply resented by Bonavía, and his anger caused him to defend

[23] Commandant of Nacogdoches to the governor of Texas, March 8, 1807, MS., Bexar Archives.

[24] From 1800 to 1812 the Spanish peso was the equivalent of $1.45 in United States currency as of 1936.

For additional Spanish monetary values with similar equivalents, see J. V. Haggard, *Handbook for Translators of Spanish Historical Documents*, 98-108.

[25] *Expediente*, November 7, 1809-July 8, 1811, A. G. I., Aud. de Guad., 104-2-9 (Dunn Transcripts, 1800-1819, pp. 242-263).

all Texans, including smugglers. "Contraband captured on the frontier," he remarked, "proved the zeal of our officers. The small amounts of it and its miserable quality," he continued, "show that smugglers are driven to crime by necessity and not by greed." The cause of this condition should be destroyed, he insisted. Smugglers, he contended, deserved pity rather than punishment. It is a well-known fact that Texans were stockmen rather than farmers, and that they had an abundance of horses and mules. At the same time, they lacked clothing, implements, tools, furniture, and many other articles of civilized life. Their only base of supplies was the fair at Saltillo, which was made up of traveling merchants from Mexico City who obtained articles on credit, and, therefore, sold only merchandise of poor quality and at exorbitant prices. Furthermore, whatever was purchased at Saltillo had to be freighted an extremely long distance to the capital of Texas and thence to the east Texas frontier. Low prices in the United States, the short distance, and the extensive frontier line, were factors that encouraged Texans to risk capture and loss of goods while exporting livestock to exchange in Natchitoches and New Orleans for merchandise.[26]

The need for the establishment of Louisiana-Texas trade was realized by the commandant general, whose own strict restrictions kept the border closed to immigration and trade. At one time, when the supply of tobacco for Indian presents was running low, he ordered the governor of Texas "confidentially, to manage by whatever indirect means Your Lordship may consider best, to prevent total exhaustion of the tobacco supply with ensuing consequences."[27]

Smuggling was not to be stopped. The need for articles of trade was great, and the border was wide. Spanish patrols were active, but smugglers were more active.[28] Gradually, as the revolutionary movements in other parts of the Spanish empire distracted the attention of Spanish patrols from the Louisiana border, and as the need for Louisiana articles became acute, trade

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[26] Bernardo Bonavía to commandant general, September 20, 1809, A. G. I., Aud. de Guad., 104-2-25 (Dunn Transcripts, 1800-1819, pp. 265-266).

[27] Nemesio Salcedo to Antonio Cordero, December 16, 1805, MS., Bexar Archives.

[28] Records of the capture and trial of smugglers are extensive in the Bexar Archives. For samples of these, see Trial of Vicente Rodríguez and party by Don José María Guadiana, May 11, 1809, MS., Bexar Archives; trial of Julian Garcia and party by Don José Agabo de Ayala, July 13, 1809, *ibid.;* Transmittal of proclamation relative to smuggling, February 11, 1814, *ibid.;* Testimony relative to disposition of smuggled goods, Governor of Texas to commandant general, August 1, 1814, *ibid.;* Funds obtained from smuggled goods to be used to repair Alamo, January 3, 1815, *ibid.;* Ygnacio Pérez to Joaquín de Arredondo, July 31. 1816, *ibid.*

restrictions were violated with impunity by settlers and soldiers alike. Trade across the Neutral Ground grew in volume and importance to such a degree that the need of keeping trade routes open across the disputed territory was keenly realized by the merchants of Natchitoches. When the existence of bandits in the Neutral Ground threatened to sever this essential artery, they addressed a vigorous memorial to Governor Claiborne begging him to clear the Neutral Ground of this evil which would otherwise "annihilate the most valuable part of the commerce of the Parish, and will eventually operate no small diminution of the whole circulating medium of the Territory."[29]

Indian Trade.—The Indians living in the Neutral Ground and near its borders[30] were a barrier to American westward expansion. The Spaniards, therefore, worked intensely to maintain their allegiance, while the Americans exerted great effort to win their friendship. The Spaniards had used the Indian tribes as a barrier many decades before the Americans advanced across the Mississippi. The first missionary effort in this area was spurred by the report of a Texas Indian to the effect that "a number of Frenchmen had come from a great river," and were building a fort.[31] After missions were founded in the territory that was later within the Neutral Ground, a sharp

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[29] Memorial, January 4, 1812, *Territorial Papers*, IX, 976-978.

[30] According to H. E. Bolton, the Karankawa Indians lived in the region embracing the Gulf coast and the littloral islands from Galveston Bay to and perhaps beyond the mouth of San Antonio River. The Karankawa comprised several small groups known as the Cujanes, Guapites, Cocos, and Copanes. The Bidais, Orcoquisac, and Attacapas occupied the region on the Texas-Louisiana border between the Hasinai confederacy and the Gulf coast. The Hasinai group, consisting of the Nacogdoches, Nabedache, Nasoni, and Nadaco, lived west of the Sabine River on the Angelina and the upper Neches. The Caddo Indians, comprising the Cadodacho, the Adaes, the Yatasí, the Nassonites, and the Narsoos, occupied the banks of Red River from Natchitoches northwest to southwestern Arkansas. The Tonkawa tribes occupied a wide range in east central Texas.—Bolton, *Athanase de Mézières*, I, 18-28.

According to the governor of Texas, in 1806, the Tonkawa Indians lived between San Antonio and the Brazos River, and "they personally help to transport mule trains and supplies on their way to the Louisiana frontier." The Tahuacano Indians lived on the banks of the Brazos River. The Tahuayas tribe was split in two divisions, one under Chief Erias Coq lived between the Brazos and the Trinity, and the other, under Chief Quisaeta, lived east of the Trinity. The Quichas, Texas, Aises, Hasinai, Nacogdoches, and Nacogdochitos lived between Nacogdoches and the Sabine River. The Orcoquisac, the Conchate, the Alibamu, and the Choctaw lived near the mouth of the Trinity along the coast toward the Sabine. Other tribes lived or roamed farther west or north.—Antonio Cordero to Nemesio de Salcedo, June 16, 1806, MS., Bexar Archives.

According to John Sibley, American Indian agent, the Caddoes, about 100 warriors, lived on Sodo Bayou, about 120 miles northwest of Natchitoches. The Yatasí lived on Stony Creek, about 50 miles above Natchitoches in Spanish territory. The Nandakoes lived 60 miles west of the Yatasí on the Sabine River. The Adaes lived about 40 miles west of Natchitoches and 20 miles north of the site of Los Adaes. The Ais lived on Ais Creek, 12 miles west of the Sabine. The Texas lived 25 miles west of Natchitoches. The Nabedachos lived 12 miles above the Texas. The Conchatte lived on the east bank of the Sabine, about 80 miles from Natchitoches. The Pacanas lived on Calcasieu River, 40 miles southwest of Natchitoches.—John Sibley, April 5, 1805, *American State Papers, Indian Affairs*, IV, 721-725.

For additional data on these Indians, see Hodge, *Handbook of American Indians*, I, 6-7, 12-13, 34, 43-44, 87, 145, 179-183, 288-289, 657-658; II, 34, 182, 701-704, 705-706, 738-740, 778-782; and C. E. Castañeda, *Our Catholic Heritage: The Missions at Work*, III, 3-17.

[31] Castañeda, *Our Catholic Heritage: The Finding of Texas*, I, 346.

contest developed between Spanish and French authorities for control of the Indian trade.[32] The struggle continued until the year 1762, with the French traders obviously having gained a decided advantage over the Spaniards with regard to the Indians on the Texas-Louisiana border. By 1762, the Franciscan missionaries bemoaned the influence of the French who, they asserted, had gained "the devotion of most of the tribes of Indians."[33]

After 1762 the need for maintaining the friendship of the Indian tribes was increased. Whereas before that year Spain had been struggling with a relatively weak power, she now had the English for her neighbors. Furthermore, Spain now had vast hordes of Indians, from the Gulf of Mexico to Canada, to be brought to her allegiance and kept friendly.[34]

Spanish Indian policy was flexible. In California, as in other sections of New Spain, the mission, the settlement, and the garrison had been the three methods of conquering Indians.These methods were tried in Texas with limited success. The missions in San Antonio and the lower Rio Grande region had been successful because the Indians were docile, like those in California. The Indians of east Texas and Louisiana, on the other hand, were powerful and warlike. Consequently the missions, in east Texas, or western Louisiana, were almost complete failures. The Spaniards were not averse, however, to continue the system of Indian control that had been used by the French authorities, that is, fur traders and annual presents distributed to the Indians in the name of the king. They were even willing to employ an ex-officer of the French government to control these warlike Indians for them. This officer, Athanase de Mézières, was a captain at the post of Natchitoches when Spain took over Louisiana. Because of his familiarity with border conditions, the Spanish government commissioned him lieutenant-governor of Natchitoches.[35]

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[32] For an extensive account of early Spanish-French rivalry on the Texas-Louisiana border, see Shelby, "International Rivalry in Northeastern New Spain, 1700-1725."

[33] Report, March 6, 1762, quoted in Bolton, *Athanase de Mézières*, I, 42. For a detailed account of the contest for control of the frontier tribes, see *ibid.*, I, 28-66.

[34] *Ibid.*, I, 66-79.

[35] Athanase de Mézières was born in Paris, France. He came to Louisiana in 1733, and served in the French frontier army until he was officially discharged on September 15, 1763. On November 24, 1769, he was commissioned lieutenant-governor of the Spanish post of Natchitoches, and in 1773 he was promoted to the rank of lieutenant-governor. In 1778 he was commissioned acting governor of Texas, and in 1779 he was made permanent governor, but he did not serve in either capacity because of his death, which occurred on November 2, 1779.

For further details of his life and activities on the Louisiana-Texas frontier, see Bolton, *Athanase de Mézières*.

When Louisiana was incorporated into the American union in 1803, the problem of maintaining the Indian barrier became more acute. The westward tide of American expansion was lapping against the frail barrier of the Neutral Ground, and, therefore, the Indians of the area between Spanish and American possessions assumed unprecedented importance. "In view of the present critical conditions," wrote the governor of Texas to the Commandant General, "it is my duty to give Your Lordship an idea of the degree of friendship of the savage Indians of this province, since this information is of the gravest importance." He pointed out that the Tonkawa were absolutely loyal and the Tawakano were "ready at our first instructions to oppose the designs of the ambitious Americans, whose ideas of seizing their rich lands are well known to them." The Tahuayas under Chief Erias Coq were loyal and peaceful, but those under Chief Quichaeta, "tempted by the hope of profit, are waiting for the arrival of the Americans." The Comanches were loyal. The Quichas, Texas, Aises, Hasinai, Nacogdoches, and Nacogdochitos were glad to receive presents from the Americans, but had shown no desire to follow their suggestions. The governor promised, "I shall not fail to do everything in my power to keep the American government from taking away from our allegiance any of the tribes living in our terirtory."[36]

The Spaniards left no stone unturned in their anxiety to bolster the Indian barrier. They encouraged Indians under American jurisdiction to immigrate to Spanish territory.[37] They actively opposed attempts of American traders to establish commercial relations with the Indians.[38] They were lavish in their presents to the Indians and maintained a warehouse in San Antonio for the accumulation of large quantities of presents for distribution among the Indians. These presents were usually obtained from Mexico City, but the stock was supplemented from New Orleans through the agency of licensed traders.[39] In the year 1806, for instance, the Texas government spent 2,798 pesos for Indian presents. Of this amount, 1,239 pesos were spent in Nacog-

[36] Antonio Cordero to Nemesio Salcedo, June 16, 1806, MS., Bexar Archives.

[37] The commandant general permitted Chief Cons Conché Blonhim to move his tribe of Pascagulas across the Neutral Ground and settle along the Sabine River.—Nemesio Salcedo to Antonio Cordero, August 16, 1806, MS., Bexar Archives.

[38] The Taboayas Indians were reprimanded for harboring American traders in their village at Lake Macdon, near Bayou Pierre.—Nemesio Salcedo to Antonio Cordero, July 12, 1807, MS., Bexar Archives. These Indians were later reported to be making regular trips to Natchitoches.—Francisco Viana to Antonio Cordero, June 23, 1807, MS., Bexar Archives.

[39] The most prominent of these traders were William Barr and Peter Samuel Davenport. For further details on their lives and activities, see elsewhere in this Chapter.

doches.[40] In 1808, 7,085 pesos worth of articles for Indian presents were ordered from Mexico City.[41] These presents usually consisted of muskets, gunpowder, knives, razors, scissors, axes, hoes, combs, glass beads, war paint, mirrors, wire, copper and iron pots, ribbons, coats, bells, needles, belt buckles, ramrods, hats, and various kinds of cotton goods, tobacco, and occasionally rum. In the year 1806, the warehouse at San Antonio distributed 589 three-pound tobacco twists, 1,829 knives, 938 scissors, 3,024 small bells, and other articles in this proportion, among 1,331 Indians of various tribes.[42] Indians preferred red, yellow, and bright blue materials for their clothing, large iron pots instead of copper pots, wire that was fifteen-hundredths of an inch in thickness, and muskets made in France or England rather than those made in Spain.[43]

Spanish governors held various conferences with Indian chiefs and sent emissaries and messages to them. In one of these conferences with the Towakoni, Tahuayas, and Wichita chiefs, Governor Antonio Cordero obtained direct pledges of allegiance from them. The Indians explained to him that they had been trading with the Americans because they were pressed to do so by necessity. Chief Dagueriscará (alias Juan el Flechado), a Towakoni chief,[44] suggested, "Together we must oppose the hostile actions of those whom you call Anglo-Americans may attempt against us."[45] He then promised to go to all the villages of the Towakoni, Tahuayases, and Wichitas to influence the Indians against the Americans and to take away from them all American flags and insignia given them by American traders.[46]

Chief Dagueriscará was a man of his word. On the 19th of December, 1805, one hundred twenty braves of the Tahuayas and Wichita tribes, six lesser chiefs, and twenty-four squaws arrived in San Antonio for a conference with Governor Cordero. Because the Indians were carrying the royal standard, the governor sent forty soldiers to receive them. They reported to the gov-

[40] José Joaquín de Ugarte, June 4, 1807, MS., Bexar Archives.
[41] List of presents, January 19, 1808, MS., Bexar Archives.
[42] Report, 1809, filed with Translations, Bexar Archives, March 1-20, 1807, p. 133.
[43] Manuel de Salcedo to Nemesio Salcedo, April 2, 1809, MS., Bexar Archives. For a list of Spanish weights and measures with equivalents in English, see Haggard, *Handbook for Translators of Spanish Historical Documents*, 71-78.
[44] Governor Cordero declared this Indian chief to be admirably intelligent. He quoted the chief at length, and stated that, when a map of the province was placed before him, he explained "everything on it about the sea, coast, rivers, and other things, like one versed in geography." Cordero then remarked: "He is truly the wisest Indian with whom I have ever had any dealings."—Antonio Cordero to Nemesio Salcedo, November 24, 1805, MS., Bexar Archives.
[45] Antonio Cordero to Nemesio Salcedo, November 24, 1805, MS., Bexar Archives.
[46] *Ibid.*

ernor that Chief Dagueriscará was carrying out his mission in the Indian villages, drawing the Indians away from their friendship and trade with the Anglo-Americans. The governor then ordered presents given them, and "They departed very much pleased."[47]

To the Comanche Indians the governor of Texas sent greetings and a trader. In compliance with the wishes of the Comanches, he stated, to have Spaniards visit them and trade with them, he was sending Sergeant Mariano Rodríguez, a retired officer, Francisco Cadena, a trader, an interpreter named Antonio and a Comanche boy. Their mission, he informed the Comanches, was to talk with them "on the points which will forever seal the friendship and dependence of the whole nation."[48]

A letter of friendship was sent by Don Manuel de Salcedo to the chiefs of the Tahuayas, Wichita and other tribes. He informed them of the generous reception he had given their envoys, and told them of the European war, in which the king "killed many big French chiefs and warriors, and finally made prisoner their emperor." He sent them presents, and remarked, "Your envoys take with them three bundles of tobacco, one for each nation; they all received fine presents, and had their bellies filled." He then asked them to be faithful and obedient in order that they might be happy.[49]

While Spanish authorities were exhausting all means of maintaining the allegiance of the Indians, American traders were active among the tribes. Most active among the border Indians was Dr. John Sibley, American Indian agent. Reports of his activities reached the governor of Texas with disquieting regularity. He supplied the Towakoni and Tahuayas Indians with articles of trade, appointed chiefs among them, sent them other traders, and provided them with a blacksmith to repair their weapons.[50] He tried to establish a fort in Bayou Pierre.[51] He encouraged the Indians to receive presents in Natchitoches, and he was so successful that at one time as many as seven hundred Indians went to Natchitoches in a body for presents, but the

[47] Antonio Cordero to Nemesio Salcedo, December 27, 1805, MS., Bexar Archives.

[48] Antonio Cordero to My Children the Chiefs of the Comanche Nation, December 27, 1805, MS., Bexar Archives.

[49] Manuel de Salcedo, April 29, 1809, Buquor Translations in the Archives of the University of Texas, pp. 72-74.

[50] Francisco Viana to Antonio Cordero, October 4, 1805, MS., Bexar Archives.

[51] Nemesio Salcedo to Antonio Cordero, August 14, 1806, MS., Bexar Archives.

authorities were unable to supply so large a number.[52] His agents obtained peltries and horses from the Indians.[53]

Dr. Sibley was instrumental in maintaining a relatively large volume of trade with the Indians from the factory in Natchitoches. His familiarity with the Indian tribes, their place of habitation, the number of Indians in each tribe and their economic and social life was thorough.[54] In 1807 the Natchitoches factory had on hand in merchandise for the Indian trade $8,-482.51, in cash and drafts $4,252.98, in peltries and furs $3,331.34. In 1811, the superintendent of the factory received in merchandise $2,403.51, in peltries and furs $6,691.92, and in that year he forwarded to headquarters in Washington, from the sale of peltries and furs, $15,462.08. He still held in store peltries and furs valued at $2,911.56[55].

In this contest for control of the Indian trade, Americans were gaining the advantage. Spanish authorities feared the success of American traders because, they claimed, "under the guise of establishing trade relations with our Indian tribes, Americans are invading our territory with evil designs."[56] Furthermore, they feared the enterprising Americans because of their "energy, agility, sobriety, and courage."[57] And, while the Americans had a well-organized Office of Indian Affairs with factories for every group of Indians in the nation, the Spaniards had only the House of Barr and Davenport, and a few individual traders and trappers, to supply the Indian trade.[58] Furthermore, Barr and Davenport and all Spanish traders were bound by numerous trade restrictions and by the general prohibition of trade with Louisiana.

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[52] Francisco Viana to Antonio Cordero, October 15, 1807, MS., Bexar Archives.

[53] The Taboayas Indians were seen carrying three *cargas* [15.45 bushels] of goods and two *cargas* of hats to the tribes above Bayou Pierre. On the same day three Americans were seen driving fifty horses and one mule towards Natchitoches.—Francisco Viana to Antonio Cordero, July 9, 1807, MS., Bexar Archives.

A Mr. Lamar carried 1,035 deer skins, 5 bear skins, and 4 horses on one trip from Bayou Pierre to Natchitoches.—José María Guadiana to Sebastián Rodríguez, November 16, 1805, MS., Bexar Archives.

[54] In 1805 he wrote an excellent account of the various Indian tribes living between Louisiana and Texas.—"Historical Sketches of the Several Indian Tribes in Louisiana, South of the Arkansas River, and between the Mississippi and River Grande," Natchitoches, April 5, 1805, *American State Papers, Indian Affairs*, IV, 721-726.

[55] Report of the United States Indian Factory at Natchitoches, January 13, 1812, *ibid.*, IV, 790.

[56] Antonio Cordero to Bernardo Bonavía, April 23, 1809, MS., Bexar Archives.

[57] [Manuel de Salcedo] to Bernardo Bonavía, April 2, 1809, MS., Bexar Archives.

[58] Among the Spanish traders were Pedro Engle, Francisco Cadena, Juan Silvestre, José María Capelo, Marcelo Soto, and Peter Brady.—Dionisio Valle to Antonio Cordero, October 3, 1805, MS., Bexar Archives; Antonio Cordero, December 27, 1805, *ibid.*; Antonio Cordero to Francisco Viana, October 2, 1807, *ibid.*; Francisco Viana to Antonio Cordero September 22, 1807, *ibid.*; Peter Brady to Governor of Texas, May 10, 1807, *ibid.*

In an attempt to solve the problem of American expansion, especially with reference to Indian trade, a council of high-ranking Spanish officers was held in San Antonio in the spring of 1809. The council was presided over by Brigadier Don Bernardo Banavía y Zapata, commandant of the armies of Coahulia and Texas. It was also attended by Colonel Don Antonia Cordero, political and military governor of Coahuila, Lieutenant Colonel Don Simón de Herrera, political and military governor of New León, Lieutenant Colonel Don Manuel de Salcedo, political and military governor of Texas, and Captain Don Mariano Varela, who served as secretary. The council was called to discuss urgent matters relative to the defense, development, and colonization of the province of Texas. Each of the governors present submitted to the commandant general a written opinion on the means deemed most effective to check the westward advance of the American frontiersmen. After setting forth the need of colonizing Texas before the Americans invaded it and colonized it themselves, the opinion was expressed that the Indian barrier should be bolstered to check the westward tide until Spanish authorities were able to establish colonies and garrisons throughout the province. It was pointed out by Governor Antonio Cordero, who was an expert on Indian affairs, that the Indians were partial to the Spaniards, and that their allegiance could easily be maintained if they were furnished articles of trade as cheaply and as lavishly as they were supplied by the Americans. He asserted that the Indians would gladly abandon all commercial relations with the Americans if trading posts were established for them within easy access of their villages.[59] He, therefore, proposed that the Indian factory in San Antonio be maintained and replenished with presents for the Karankawa, Coco, Comanche, Cuchantica, and Lipan Indians, that one be established in Bayou Pierre for the Yatasí, Caddó, Nadaco, Nacogdochito, Wichita, Yeani, Taboayas, and Aguaje Indians, and that a third post be established in Nacogdoches to supply the Ais, Hasinai, Texas, Conchatte, Alibamu, Pascahula, Bidais, Arcoquisac, Towakoni, Quicha, and Ton-

[59] Governor Cordero was probably right in his assumption that the Indians were partial to the Spaniards, since Indian delegations had appealed to him for trade facilities in their locality, and certain Indians living in the United States had asked for permission to immigrate to Texas, asserting that they hated the Americans because they had appropriated Indian lands. It is surprising, however, that Governor Cordero, who was acknowledged to be an Indian expert and who had served in Coahuila and Texas more than thirty years, should have overlooked the fickleness of Indian character. That he was slightly in error is proved by the fact that the Texas friendly Indians were a deciding factor against Spanish authorities in the Mexican revolution and in the filibustering expeditions.—Antonio Cordero to Nemesio Salcedo, January 9, 1809, MS., Bexar Archives; Antonio Cordero to commandant of Nacogdoches, August 19, 1809, *ibid.*; Antonio Menchaca, *Memoirs*, 14.

kawa Indians. He asserted that he considered the establishment of these trading posts of such importance that without them Spanish authorities would have to use the greater portion of their army to keep the Indians at peace. By causing them to be dependent on Spanish authorities by means of trade, on the other hand, no troops would be needed to keep them under subjection and the Spanish government would be materially aided by them. The opinions of the other officers were similar to that of Governor Cordero with regard to Indian trade.[60]

In a sudden spurt of long-dormant energy, the Spanish authorities established a trading post at Bayou Pierre. The governor of Texas made a treaty of friendship with the chief of the Caddo Indians, and one of the chief's conditions was that trade should be established with his tribe. Consequently the commandant general authorized Don Marcelo Soto, the syndic procurator of Bayou Pierre, to establish a trading post in that settlement.[61] This post was not successful because, according to the governor of Texas, Don Marcelo Soto had neither the capital nor the experience to conduct this business properly. Furthermore, its work interfered with the House of Barr and Davenport, the trading firm that furnished articles of Indian trade to the Spanish government in Nacogdoches and San Antonio since 1800.[62]

The House of Barr and Davenport.—The House of Barr and Davenport operated across the Neutral Ground and owned two of the largest land grants in the disputed area, known as Las Ormigas and La Nana. It freighted merchandise from Louisiana to Texas and transported peltries, furs, and livestock back to Louisiana.

This commercial firm was organized by Luther Smith, Edward Murphy, William Barr, and Peter Samuel Davenport in 1798. Luther Smith was a resident of New York, and died in Bayou Tunica, Louisiana, prior to 1808.[63] He made annual trips

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[60] Antonio Cordero, April 23, 1809, MS., Bexar Archives; Manuel de Salcedo, April 24, 1809, *ibid.*; Simón de Herrera, April 25, 1809, *ibid.*

[61] Nemesio Salcedo to Antonio Cordero, February 7, 1809, and March 29, 1809, MS., Bexar Archives.

[62] Manuel de Salcedo to Bernardo Bonavía, September 9, 1809, MS., Bexar Archives.

[63] Upon his death, he was survived by his mother, Abigail Smith, a brother Nathan and a sister Mary. He probably had two other brothers, Samuel and William.—Abstract of Title of Certain Lands in La Nana and Las Ormigas Grants, Copied from a Plat Book in the Possession of Mr. W. H. Vandegaer, Many, Louisiana, through the Courtesy of Dr. Edwin A. Davis and Dr. William R. Hogan, Louisiana State University, 1942. Typed copy in the Archives of the University of Texas, p. 19. (Hereafter this source will be cited merely as *Abstract.*)

from 1803 to 1807 between Nacogdoches and West Florida, usually driving large herds of horses and mules from Texas to be sold in the District of New Feliciana.[64]

Edward Murphy was a resident of Pennsylvania. He died intestate prior to December 10, 1808, and was survived by Marie Elizabeth Buard, his wife, Maria Eugenia, a daughter born in 1801, Edward Cesaire, a son, and another daughter whose name is not known.[65] In 1798, upon the organization of the trading firm, Murphy transferrd to the company his title to the La Nana grant, which he had acquired from the Spanish government the same year. This grant was situated in the heart of the Neutral Ground astride the road between Nacogdoches and Natchitoches, and comprised one hundred forty-four sections of land.[66] At the time of his death, his holdings as a member of the trading firm were considerable. In addition to one-fourth of La Nana grant, he owned also one-fourth of Las Ormigas grant, which was purchased by the firm in 1805 from one Jacinto Mora.[67] The Las Ormigas tract was situated in the Neutral Ground, with the left bank of the Sabine River for its west boundary, a short distance northwest of La Nana grant; it comprised 207,360 acres of land.[68] His estate in Natchitoches was appraised at 108,238 pesos [$156,945]. When Murphy's widow withdrew from the trading firm in 1809,[69] one-third of the holdings of the House of Barr and Davenport in Nacogdoches and amounting to 6,472 pesos [$9,384] belonged to Murphy's estate; in addition, the estate was given one-third of all stocks of merchandise belonging to the firm and stored in their warehouse in Natchitoches, and one-third of all uncollected notes.[70]

Death dissolved the partnership of the House of Barr and Davenport in 1810. Shortly after Barr died, Agnes Gibson Barr, his mother, attempted to establish a claim to his property and demanded it from Peter Samuel Davenport, who had taken possession of all the personal and real holdings of the deceased Barr.

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[64] Certificate written by Don Juan Oconor, February 10, 1807, MS., Bexar Archives.
[65] For additional genealogical date, see *Abstract*, 19-22.
[66] *Abstract*, 19-22, 27. See also Document No. 49.
[67] Jacinto Mora obtained the original grant from the Spanish government on December 2, 1795.—*Document No. 49*, p. 72.
[68] *Document No. 49*, p. 71.
[69] José María Guadiana to Manuel Salcedo, January 4, 1810, MS., Bexar Archives. See also Lists of Statements, Stocks on Hand, and Other Property Belonging to the Firm of Barr and Davenport, and Murphy, Drawn up at the Time of the Demise of Edward Murphy, 1808-1810, MS., Department of Archives, Louisiana State University. Photostatic copies in the Archives of the University of Texas, Vol. II, p. 7. (Hereafter these records will be cited as *Murphy Records.*)
[70] *Murphy Records*, Vol. I-II.

As Davenport refused to hand over everything to her, in February, 1818, she filed suit in the United States District Court for the Louisiana District. She alleged that, as the legitimate mother of the deceased, she was entitled to "all the estate belonging to the said William Barr, consisting of houses, lands, negroes, stocks, merchandise and other estate, to a very large amount."[71] She further alleged that, upon the death of Barr, Davenport had "possessed himself of the books, papers, securities, and evidence of debt, to which the said Barr was entitled at the time of his death, as well in his own right, as his share in the property of the said partnership."[72]

Davenport did not deny that he had taken possession of the personal and real property owned by Barr at the time of his death. To justify his action, however, he produced a copy of Barr's last will and testament, which was filed in Nacogdoches on March 15, 1810.[73] By the stipulations of this will, Barr's mother was entitled to the possesisons he left her in Item 8. In this Item, he left his mother his share of his father's estate, one-fourth of La Nana and one-fourth of Las Ormigas land grants, jointly with his two living sisters, Elizabeth and Agnes.[74] In Item 11, Barr gave freedom to Silvey, a Negro woman who had served him faithfully for many years, and her two children, Lewis and James. In Item 12, Barr made Davenport sole and absolute heir of all his property—except the one-fourth of his real estate which he had given to his mother and two sisters. He gave as his reason for thus honoring and enriching Davenport that, "I have in him the utmost confidence and satisfaction." Further to prove his trust in Davenport, Barr provided that, in case of Davenport's death, his children should inherit everything that should fall to Davenport. Furthermore, Barr, in Item 13, appointed Davenport executor of his will.[75]

The lack of available records makes it difficult to ascertain the cause of Barr's unfilial treatment of his mother. It is known that Barr was born in Londonderry, Ulster County, Ireland,

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[71] United States District Court of Louisiana, Book E, Case No. 1144, Agnes Barr v. Peter Samuel Davenport. Transcript in the Archives of the University of Texas, p. 2. (Hereafter these records will be cited as Case No. 1144.)

[72] Case No. 1144, p. 2.

[73] *Ibid.*, pp. 40-45.

[74] At the time of his death, Barr had only these two sisters. He had had three brothers, John, David, and Samuel. Prior to 1810, David and Samuel died somewhere down the Mississippi River, and John died in Pittsburgh, Pennsylvania. His sister Agnes was married to John Huston and, as late as 1818, was living in Mingo Creek, Washington County, Pennsylvania. His sister Elizabeth was married to David Kennedy and, in 1818, was living in St. Clair Township, Allegheny County, Pennsylvania.—*Ibid.*, pp. 11, 15, 17.

[75] *Ibid.*, pp. 40-45.

about 1762,[76] and that, when he was twelve years of age, his parents brought him to Philadelphia, Pennsylvania. A few years later his parents moved to Pittsburgh and took him with them. While living there, he states, "I served about three years in the United States Army with the rank of captain." As military life did not agree with him, and with the consent of his parents, he moved to the Spanish province of Louisiana about the year 1786. He took the oath of allegiance to Spain in 1787 before Governor Don Esteban Míro,[77] and, about 1793, he moved to Nacogdoches. A year or two after the trading firm was organized, the Spanish government first gave him a commission to supply the Indians with certain presents and to trade with them for peltries, furs, and livestock.[78] He was never married. In 1810, he declared that he owned two houses and lots in Nacogdoches, two ranches with one house and one farm, seven hundred eighty head of cattle, over one hundred hogs, about one hundred and fifty horses and mules, six droves of breeding mares with stallions, and two breeding burros. One of the ranches was located near the Trinity River, in addition to the La Nana and Las Ormigas tracts.[79]

Most of the recorded activities of Peter Samuel Davenport deal with business connected with the House of Barr and Davenport. A few incidents in his life, however, may be segregated from his business transactions, which generally concerned other members of the firm, and especially William Barr. Davenport set out for Louisiana from Carlisle, Cumberland County, Pennsylvania, at the age of sixteen upon the death of his parents. While traveling with other men through Indian country, before reaching Spanish territory, the Indians attacked them and killed three of their number. In making his escape, Davenport lost his equipment and identification papers. The loss of his papers makes it difficult to know much about his early life.

It is known that Davenport was born in Carlisle, Cumberland County, Pennsylvania, about 1764, and that he was the son of William Davenport and Ana Davidson. In 1802 he married a French girl named Marie Louise Gagnior. Of this union was born

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[76] The 1805 census of Nacogdoches gives the following entry: "Don Guillermo Barr, Irishman, his business, Purveyor General to the Friendly Tribes of this Province. He is unmarried and 42 years of age."—Census, January 1, 1805, MS., Bexar Archives.

[77] Guillermo Barr, February 8, 1810, in *Expediente*, February 8, 1810, pp. 1-1v, MS., Bexar Archives.

[78] Wm. Barr to Commandant, June 16, 1809, MS., Bexar Archives.

[79] Guillermo Barr, February 8, 1810, in *Expediente*, February 8, 1810, pp. 1-1v, MS., Bexar Archives.

a son in 1803, who was named Benigno Bernardino, and a daughter Theresa Eliza. Davenport also recognized John Durst as his natural son.[80]

Davenport exhibited great solicitude for the welfare of his family. In 1812, shortly before the death of his wife, Davenport wrote a letter to Captain Don Bernardino Montero, commandant of Nacogdoches, reporting the serious condition of his wife, who was suffering from a "disease of the chest," and requesting permission to bring a physician from Natchitoches. He stated that he was aware of superior orders prohibiting communication with Louisiana, but pointed out that this was an urgent case and that no physician was available in Nacogdoches.[81] At the same time he wrote to Don Manuel de Salcedo, governor of Texas, telling him that his wife had experienced no improvement. "On the contrary," he wrote, "each day she is more feeble, and she is flickering like a failing candle." Don Pedro Lartiga, a practitioner in Nacogdoches, he continued, had employed his knowledge to no avail. Consequently, he was compelled to ask the commandant to let him get a doctor from Natchitoches because "her life is extremely important to me and to her small children. I can do nothing, and I am desperate."[82]

Spanish authorities gave Davenport permission to bring a doctor to Nacogdoches from Louisiana. Davenport reported to the governor that his wife was much worse, and that even Doctor Helphen, a German physician from New Orleans, gave little hope.[83] She died on February 27, 1812.[84]

Available records do not disclose the cause of Davenport's change of attitude toward the Spanish government. He appeared to be loyal to his Spanish citizenship as late as July 21, 1812, when he addressed a letter from Natchitoches to his friend, Lieutenant Colonel Bernardino Montero. In this letter he still considered himself a Spanish subject. He warned the Spanish officer that the United States was planning to furnish all the means possible

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[80] S. Davenport to Commandant, June 16, 1809, MS., Bexar Archives.
For further genealogical data relative to Benigno Bernardino and Marie Theresa Eliza, see *Abstract*, p. 18.
"Don Samuel Davimport, American, partner of the Purveyor General. He is 40 years old and is married to Doña María Luisa Cañon, age 19, a French woman; she has a son about 3 years old, a brother, Pedro Cañon, age 16 years, and an Italian servant named Francsico Darma, three negro slaves, a man, age 19, a woman, age 22, a girl, age 11, and the woman's mulatto son, age 7.—Census, January 1, 1805, MS., Bexar Archives.

[81] S. Davenport to Bernardino Montero, February 6, 1812, MS., Bexar Archives.

[82] S. Davenport to Manuel de Salcedo, February 6, 1812, MS., Bexar Archives.

[83] S. Davenport to Manuel de Salcedo, February 14, 1810, MS., Bexar Archives; *Abstract*, p. 30.

[84] S. Davenport to Manuel de Salcedo, March 9, 1812, MS., Bexar Archives.

to start a revolution in New Spain because Spain was England's ally and the United States had just declared war on England. He also warned him that expeditions were being organized at various points within the United States to strike at the Spanish frontier at a moment's notice. He added that he wished his "ox-carts were here in order to take advantage of this trip before the clouds that darken this hemisphere release their thunder."[85] A few weeks later, Davenport was serving as captain and was in command of a corps of about one hundred fifty Spanish volunteers in Nacogdoches as part of the filibustering expedition that captured that frontier town early in September, 1812.[86]

Davenport stayed with the filibusters until they captured La Bahía. He communicated with William Shaler, United States special agent, from time to time reporting the progress of the filibustering expedition.[87] He was sent on a mission to Louisiana by Augustus Magee, the young commander of the expedition, on November 25, 1812. The situation of the filibusters at that time seemed hopeless.[88] Davenport reached Natchitoches on December 12, 1812; no evidence has been found to show whether he ever went back to Texas.[89]

For his adhesion to the filibustering expedition, Davenport was severely criticized and threatened by the Spanish authorities after the defeat of the filibusters at the battle of Medina. "As an Anglo-American," a Spanish officer remarked, "Davenport gave the Spanish government upon the invasion of the traitor Gutiérrez undeniable proof of his ingratitude toward the government that forged his happiness."[90] A general pardon was proclaimed by the commandant general to all insurgents in the Neutral Ground or anywhere who would report to Nacogdoches, Trinidad, or San Antonio within forty days to be counted from October 25, 1813. Articles 2 and 3 of this pardon listed persons who were proscribed and who were not covered by the amnesty. Among those listed in Article 3 was Davenport who was said to be a scoundrel, "ungrateful at the kind of treatment given him by this government, and who abused the good faith with which he was made a subject of the Spanish monarch." Article 4

[85] S. Davenport to Manuel de Salcedo, July 21, 1812, MS., Bexar Archives.
[86] Wm. Shaler to James Monroe, September 17, 1812, Filibustering Expeditions (Microfilm).
[87] Wm. Shaler to James Monroe, October 24, 1812, *ibid.*
[88] A. Magee to Wm. Shaler, November 25, 1812, *ibid.*
[89] Wm. Shaler to James Monroe, December 25, 1812, *ibid.*
[90] [Christoval Domínguez] to Joaquín de Arredondo, September 7, 1813, MS., Bexar Archives.

provided that anyone who killed Samuel Davenport would be given a reward of 250 pesos, and the reward would be increased if he were turned in alive.[91]

After the defeat of the filibusters at Medina, Davenport does not appear to have engaged in further activities of this nature. In 1814 he was living in Natchitoches and experimenting with the growth of sugar cane on his plantation on the Red River. He reported to Dr. John Sibley that in 1814 he had planted three-fourths of an arpent of plants brought from the coast. The sugar cane grew luxuriantly and ripened to a considerable height. In the fall of 1814, he had essayed three-fourths of an arpent of cane and found that it produced 1,000 pounds of good sugar. He planted more cane in the spring of 1815, and was enthusiastic at the possibility of cultivating sugar cane that far north.[92] "I am encouraged to continue," he asserted, "and I think will be enabled to grind thirty to forty arpents next season."[93]

In 1823 Davenport was in New Orleans. He had been summoned to appear before the United States District Court to answer charges filed against him by Agnes Gibson Barr, William Barr's mother, for his refusal to turn over to her all of Barr's property. The case was initiated on February 6, 1818, and appears to have been concluded in 1824. At the conclusion, Davenport declared that, in conformity with Barr's will, he had executed all its dispositions, except that in favor of Agnes Gibson Barr, and that he was ready and willing to carry out its disposition in her behalf.[94]

Davenport's last will and testament was filed in Natchitoches on June 21, 1824.[95] In this will he named John Bernardo Benigno [Benigno Bernardino] and Mary Teresa Eliza [Marie Therese Eliza] as his only living legitimate children, and also recognized John Durst as his natural son, and bequeathed him 10,000 acres of land.[96] Item 7 gives a list of the testator's real estate,

[91] Joaquín de Arredondo to Christoval Domínguez, October 10, 1813, MS., Bexar Archives.

[92] A planter in Natchitoches reported that he had obtained 2,500 pounds of sugar per arpent.—T. Bossie, December 29, 1815, Darby, *A Geographical Description of the State of Louisiana*, 228.

[93] S. Davenport to Dr. John Sibley, January 3, 1816, *ibid.*, 228-229.

[94] Case No. 1144, pp. 1, 57, 59.

[95] Only an incomplete copy has been available to this writer. This copy is to be found in *Abstract*, pp. 30-31. Several futile attempts have been made to obtain a complete copy of the original will from the Clerk of the Court of Natchitoches.

[96] The will states that this land was not a part of the La Nana or Las Ormigas grants. It may have been a ranch obtained by the House of Barr and Davenport in 1810 on the Angelina River, about fifteen miles south of Nacogdoches. This tract was originally granted to Pedro Lara Pasos on May 16, 1792. After subsequent transfers, it was given to the House of Barr and Davenport on May 28, 1810, by Estevan Goget in payment of a note for eight hundred pesos.—MS. of original grant in the General Land Office, Austin, Texas. Photostatic copy in the Archives of the University of Texas.

personal property, and slaves. Item 9 provides for the education of Benigno Bernardino.

Most of the activities of the House of Barr and Davenport across the Neutral Ground and in Texas were carried on by William Barr and Peter Samuel Davenport. Luther Smith and Edward Murphy, the other members of the firm, seem to have transacted most of the business of this association in Louisiana. Occasionally, however, as pointed out before, Luther Smith would drive herds of livestock from Texas to Louisiana and West Florida. The large holdings of Edward Murphy in Natchitoches indicate that his store and warehouse in that city were used as the base of operations for the firm. Available records are concerned mainly with the commercial activities of Barr and Davenport as general purveyors to the Indian tribes friendly to the Spanish government and as general traders among the settlers and soldiers of Nacogdoches.

The House of Barr and Davenport rendered the Spanish province of Texas great service for twelve years. Its work commenced in 1800, when William Barr was given a commission to furnish supplies to the friendly Indians because "he was the one who could best execute the commission to the satisfaction of the tribes, who had been promised trade since 1773 and 1774."[97] In view of this commission Barr and Davenport exported to the Spanish province of Louisiana all the livestock they obtained from the Indians in exchange for muskets, blankets, pots, and clothing upon condition of the payment of two reales [$0.36] to the royal treasury per horse.[98] On April 28, 1801, Barr was given a permit to drive to Louisiana a herd of about 300 horses and mules to trade for supplies in Louisiana for the Indian trade. This trade flourished uninterruptedly for two years, but, in 1803, Commandant General Don Pedro de Nava prohibited the exportation of livestock to Louisiana.[99]

Barr complained to the commandant general that this prohibition would ruin his trade. He asserted that he could not make a living by depending alone on the few peltries furnished him by the Indians and that he had to have permission to export livestock from Texas if he were to continue furnishing the In-

[97] [Juan Bautista de Elguezabal] to Nemesio Salcedo, January 18, 1804, in *Quaderno*, January 4, 1804, MS., Bexar Archives.

[98] *Ibid.*

[99] *Ibid.*

dians with articles of trade.[100] In answer to his complaint, the commandant general declared him exempt from his prohibition of trade with Louisiana, and the commandant at Nacogdoches stated that he would see to it "that only the smallest possible number of unbranded stock obtained from the Indian shall be exported."[101]

Having been so favored by the commandant general, Barr made further requests. In order to continue handling the Indian trade, he asked the monopoly by his agents of all Indian trade on the frontier and the exclusion of all other traders, except anyone appointed by law. This request was granted. He also asked that the sale of brandy among the Indians should be prohibited. The commandant general did not agree to this, but ordered the governor of Texas to investigate the need for such a prohibition. Barr asked for the continuance of the privilege to export horses and mules out of Texas and promised to sell them in West Florida. He was given limited privilege, with instructions to decide on the number of horses he thought he would export annually. To his request to be permitted to obtain his merchandise in New Orleans, he was told that he could do so with the understanding that this was to be a temporary privilege and that it was to be applicable only to articles secured for the Indian trade. His request for permission to establish a new town at the place called Orcoquisac on the Trinity River—near the present town of Liberty—with forty Negro slaves and two hundred Louisiana families was granted. As he failed to carry out this part of the agreement within a specified time, however, it was canceled on August 24, 1806.[102]

The trade of the House of Barr and Davenport prospered as the years went by. In addition to its business of supplying the friendly Indians with articles of merchandise, it furnished the quartermaster's department of Nacogdoches with flour, beef, salt, soap, and chili to supplement similar articles forwarded from San Antonio.[103] At one time Barr obtained eight hundred steers in San Antonio and drove them to Nacogdoches, where he sold them to the garrison.[104] Statements of goods furnished the government

[100] Guillermo Barr to Nemesio Salcedo, August 17, 1803, MS., Bexar Archives.
[101] José Joaquín de Ugarte to Juan Bautista Elguezabal, April 3, 1804, MS., Bexar Archives.
[102] Nemesio Salcedo to Guillermo Barr, August 29, 1804, and Nemesio Salcedo to Antonio Cordero, August 24, 1806, MS., Bexar Archives.
[103] "Two thousand five hundred pesos were recently sent to you in the care of Don Guillermo Barr in the form of cash, flour, beeves, salt, soap, and chili."—Antonio Cordero to Francisco Viana, May 12, 1806, MS., Bexar Archives.
[104] *Ibid.*

for Indian presents indicate that the volume of business in this branch of their trade was considerable. Every time a group of Indians visited Nacogdoches the military commandant ordered Barr and Davenport to furnish them food and tobacco.[105] Ox-carts and mule trains plodded laboriously from Natchitoches to Nacogdoches across the Neutral Ground loaded with supplies for the Indian trade. This merchandise consisted of tobacco, lead, gunpowder, beads, mirrors, vermillion, flints, axes, hoes, knives, combs, awls, scissors, wire, sugar, salt, blankets, handerchiefs, and clothing materials such as baize, chintz, and woolen cloth.[106] In return for these goods the House of Barr and Davenport was paid in cash by the government and in horses, peltries, and furs by the Indians. These horses were sold in Louisiana or in West Florida and brought the traders often as much as 2,720 pesos [$3,944] in one trip.[107]

The House of Barr and Davenport collected for small services rendered the army. They furnished candles for the army hospital and barracks in Nacogdoches and San Antonio.[108] A stone house in Nacogdoches belonging to Barr and Davenport was leased to the paymaster's office from July 15, 1807, to February 25, 1809, for 193 pesos.[109]

Notwithstanding its evident profit, the House of Barr and Davenport suffered its setbacks. Chief among its losses were bad debts among the Indians. In a summary of its activities in the Indian trade, the firm, in a letter addressed to the commandant of Nacogdoches set forth the many evils that were undermining the commercial business. Barr and Davenport pointed out that in 1799 they had paid another trader, Vicente Micheli, one

[105] See, for instance, MS., Bexar Archives:
"Statement of the amount that, in compliance with orders of Commandant Don Francisco Viana, we gave to one Indian believed to belong to the Texas tribe, together with eight braves, five squaws, and three boys, from the seventh of the current month when they came to this town to this date. To wit:

	Pesos	*Reales*
2 almudes [2.56 bu.] of corn		6
1 almud of beans	1	
lard and salt	1	
meat	2	
2 tobacco twists	1	4
1 cart-load of wood		6
	7	0

Nacogdoches, January 7, 1807.
Barr y Davenport."

[106] Invoice of goods sent by Barr and Davenport to Nacogdoches for the Indian trade, Murphy, May 25, 1808; Invoice, June 30, 1808; Invoice, June 16, 1808; Invoice, July 20, 1808; Invoice, August 23, 1808.—MS., Bexar Archives.

[107] The type of horses traded by Indians generally brought about ten pesos per head.—S. Davenport to Captain Juan de Casas, December 25, 1808, MS., Bexar Archives.

[108] Barr y Davenport, January 1, 1808, and Mariano Varela to Manuel de Salcedo, August 20, 1810, MS., Bexar Archives.

[109] Barr y Davenport, June 6, 1810, MS., Bexar Archives.

thousand one hundred twenty-five peltries that the Nadaco and Nacogdochito Indians owed him for merchandise he had given them. The Indians promised Barr and Davenport to replace these peltries within a short time but had never done so. Later Barr and Davenport sent Don Jacinto Mora, another trader, to the villages of these Indians; but he was so poorly paid by the Indians that he refused to continue in the business. At the request of Chief Cabezón of the Nacogdochitos, Barr and Davenport sent Francisco Totin to the Nadaco villages and Francisco Bael to the Nacogdochitos. These two men carried on this work until 1803 when Totin died in the village of the Nadacos, and Bael, who owed them a large sum of money because he could not collect from the Indians, ran away to avoid payment. In order to continue supplying the Indians, Barr and Davenport appointed Chief Cabezón and his brother agents for these two tribes. As was to be expected, these agents proved altogether unreliable. They failed to bring the right number of peltries, and, as soon as the United States established a trading post for them in Natchitoches, these and other Indians commenced to go there.

To the Quichas and Towakoni, Barr and Davenport sent Don Pedro Engle, who died in August, 1809. Before his death he reported that the Quichas owed him a large number of furs. Nevertheless, before collecting, and at the request of Chief Castor, Barr and Davenport sent Don Nicolás Pont, a trader, to them and to the Texas.

In an effort to check the flow of Indian trade from Nacogdoches to Natchitoches, the commandant general authorized Don Marcelo Soto to set up a trading post in Bayou Pierre.[110] This diversion of trade was to the detriment of the House of Barr and Davenport.

The Embargo Act in the United States was another setback for the House of Barr and Davenport. On November 15, 1808, as the ox-carts of the firm were cautiously creeping along the royal highway across the Neutral Ground, they were suddenly overtaken by an armed band of American civil officers, about six miles west of Arroyo Hondo. The drivers were arrested and returned to Natchitoches together with their freight.[111]

This enforcement of the Embargo Act in the Neutral Ground was viewed with great alarm by the House of Barr and Davenport

[110] Barr y Davenport to José María Guadiana, September 2, 1808, MS., Bexar Archives.
[111] Antonio Cordero to Manuel de Salcedo, November 28, 1808, MS., Bexar Archives.

and also by the Spanish authorities. It put an end to the profitable flow of merchandise, livestock, and peltries across the disputed area. The Spanish authorities suspected that this was merely an excuse on the part of the United States to force the Indians to trade in Louisiana.[112]

Because of the Embargo Act, Barr and Davenport were unable to fulfill a contract they had made with the Spanish government. In compliance with a confidential order of the commandant general,[113] the governor of Texas had made a contract with William Barr to secure all the articles needed for Indian presents for two years.[114] When communication was closed between Louisiana and Texas by the United States, the House of Barr and Davenport was unable to obtain the merchandise needed for this trade. The resourceful Barr suggested to the governor of Texas that the merchandise could be obtained in Pensacola, which was in Spanish territory, and shipped to the Texas coast. Since he had not been able to dispose of his peltries for two years, and as he had no credit in Pensacola, however, he would require an advance loan of fifteen thousand pesos.[115] The governor of Texas refused to accede to any of these requests on the ground that they were all to the sole benefit of the petitioner. Furthermore, he asserted that he could get the needed merchandise from Pensacola through government channels more easily than the trading firm could, and at a saving of the commission that would necessarily have to be paid them.[116]

The bandits of the Neutral Ground presented the last and most persistent threat to the House of Barr and Davenport. Davenport assisted Spanish and American joint patrols in driving the outlaws out of the disputed area in order to clear the highway of the constant danger of attack. In spite of the continued vigilance of the Spanish and American authorities, however, the bandits eventually made transit across the Neutral Ground too risky. "The Neutral Ground is still infested by gangs of bandits," wrote Davenport, "and it is imposible to carry on business. I dare not risk my interests to capture by the outlaws."[117]

Prosperity quickly returned to the House of Barr and Davenport as soon as the Embargo Act was repealed.[118] Although the

[112] Manuel de Salcedo to Antonio Cordero, November 30, 1808, MS., Bexar Archives.
[113] Nemesio Salcedo to Antonio Cordero, August 9, 1808, MS., Bexar Archives.
[114] Nemesio Salcedo to Antonio Cordero, September 20, 1808, MS., Bexar Archives.
[115] Wm. Barr to Antonio Cordero, March 6, 1809, MS., Bexar Archives.
[116] Antonio Cordero to Manuel de Salcedo, April 9, 1809, MS., Bexar Archives.
[117] S. Davenport to Manuel de Salcedo, February 6, 1812, MS., Bexar Archives.
[118] S. Davenport to Bernardino Montero, July 21, 1812, MS., Bexar Archives.

two-year contract for Indian supplies was canceled, other contracts were given to the traders.[119] And the Spanish authorities authorized Barr and Davenport "to keep our friendly Indians happy, and to prevent as much as possible their trips to foreign territory."[120] The Governor of Texas even suggested to his superior that an exclusive contract for the Bayou Pierre trading post should be given to Barr and Davenport and that the contract then held by Don Marcelo Soto should be canceled. "Although Don Guillermo Barr and Davenport are foreigners," he asserted, "they are Spanish subjects and the only men in this province who can manage that trading post satisfactorily."[121] Furthermore, the governor defended them against the charge of smuggling that had been made against them by Don Marcelo Soto. It was not true, he asserted, that Barr and Davenport kept livestock in their ranch of Las Ormigas in the Neutral Ground as an excuse for smuggling them from there to Louisiana, as Soto alleged. They kept livestock there because the Spanish government had given them permission to do so in order to maintain their claim to the land. If there was any stolen stock in that pasture, he continued, if was probably taken there by the outlaws of the Neutral Ground and not by Barr and Davenport.[122]

Barr and Davenport established an enviable reputation among Spanish officials, clergymen, and settlers. Davenport kept Spanish authorities informed of political conditions in the United States, and his reports and opinions were given prompt and complete official recognition.[123] He carried official and personal correspondence for the government and settlers between Nacogdoches and Natchitoches, across the Neutral Ground.[124] When, because of the critical political situation in New Spain, a rigid censorship was placed on communication with Louisiana, Barr and Davenport were officially and courteously notified of the censorship and given the necessary instructions.[125]

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[119] "I have made a contract with Don Samuel Davenport, Indian trader, whereby he will collect as soon as possible two thousand eight hundred tobacco twists at the rate of seven reales [$1.27] each."—Christoval Domínguez to Simón de Herrera, October 5, 1811, MS., Bexar Archives.

[120] [Manuel de Salcedo] to commandant of Nacogdoches October 4, 1809, MS., Bexar Archives.

[121] Manuel de Salcedo to Bernardo Bonavía, September 29, 1809, MS., Bexar Archives.

[122] Manuel de Salcedo to Bernardo Bonavía, September 12, 1809, MS., Bexar Archives.

[123] Antonio Cordero to Nemesio Salcedo, September 2, 1808; Mariano Varela to Antonio Cordero, October 12, 1808; Samuel Davenport to Manuel de Salcedo, March 6, 1809; Manuel de Salcedo to Bernardo Bonavía, October 1, 1809; S. Davenport to Manuel de Salcedo, April 24, 1812.—MS., Bexar Archives.

[124] Manuel de Salcedo to Bernardo Bonavía, May 27 and 28, 1810, MS., Bexar Archives.

[125] Manuel de Salcedo to Intendant of San Luis Potosí, May 17, 1810, MS., Bexar Archives.

In compliance with superior orders, the commandant of Nacogdoches took several depositions from other officers, justices and ministers of Nacogdoches relative to foreigners living in that frontier settlement. From these records the governor of Texas rendered his opinion of Barr and Davenport. He stated William Barr was a loyal subject and had always been notably charitable toward the settlers, who looked upon him as their benefactor. Barr, he added, was always the first to contribute to the church and to public works. The trading house, the governor climaxed, "is the only recourse of this settlement."[126] Samuel Davenport, the governor continued, was "a desirable man because of his discretion, good, civil, and Christian conduct."[127]

The governor was laconic. The reports that the commandant and the minister of Nacogdoches had submitted to him were more detailed. Commandant José María Guadiana remarked that Don Guillermo Barr was "firm in his convictions and ideas." Barr was faithful, loyal, and orderly, he added. Don Samuel Davenport, the commandant continued, "is a man of sound ideas and clear way of thinking. He is loyal and obedient to superior orders."[128] Fray Mariano Sosa added that both Barr and Davenport "greatly benefit the settlers of this town not only because they always employ a considerable number of them in their business, but also because they assist them in every way they can so that these men are looked upon as leaders of this town."[129]

The most extensive opinion of Barr and Davenport was expressed by Fray José María Huerta. He asserted that the House of Barr and Davenport was the general refuge to the inhabitants of Nacogdoches and a shelter and protection to travelers of both high and low rank. Fray Huerta stated that he had witnessed many people receive the hospitality of Barr and Davenport, both in their home in Nacogdoches as well as in their various ranches along the highway. Barr and Davenport, he added, were good Catholics and had always displayed a great deal of respect and affection for ministers of the church. He declared that ministers as well as settlers had obtained from their trading house articles of the Indian trade and many things that the traders had brought for their own use. Quite often the traders sold these things on

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[126] *Expediente*, May 8, 1810, p. 11, MS., Bexar Archives.
[127] *Ibid.*
[128] José María Guadiana to Manuel de Salcedo, May 4, 1810, MS., Bexar Archives.
[129] Fray Mariano Sosa to Don Manuel de Salcedo, May 4, 1810, MS., Bexar Archives.

credit to indigent people of Nacogdoches, knowing that these settlers would never be able to pay for them, and these people would not have survived except for the existence of the trading house. The churchman then cited his own case to prove that Barr and Davenport were honorable men and had not engaged in contraband. He stated that he had asked them to get him certain articles of merchandise from Natchitoches because everything was so high in Nacogdoches that his limited income was insufficient for his subsistence. They refused to bring anything from Louisiana because of laws prohibiting such trade. Instead they supplied him from their private stock. If supplying the needs of the poverty-stricken settlers of Nacogdoches was smuggling, Father Huerta concluded, then Barr and Davenport were the worst smugglers on the frontier.[130]

Conditions in the province of Texas after the passing of the House of Barr and Davenport show the constructive influence this trading firm had on the Texas-Louisiana frontier. The death of Edward Murphy in 1808 and of William Barr in 1810 weakened but did not destroy the house. Its final dissolution came with the invasion of Texas by the Gutiérrez-Magee expedition, when Davenport joined the filibusters. The Spanish victory at Medina sealed the end of the House of Barr and Davenport since, thereafter, Davenport, the last remaining partner, was proscribed. After the Guitérrez-Magee filibusters were driven out of Texas, Spanish authorities established feebly their control along the frontier. Settlers on the Texas-Louisiana frontier engaged extensively in smuggling, and the Indians carried on destructive forays on the settlements for they no longer had the stabilizing influence of the House of Barr and Davenport.

[130] Fray José María Huerta to Manuel de Salcedo, July 23, 1810, MS., Bexar Archives.

APPENDIX A

LIST OF RANCHES AND SETTLERS PERTAINING TO THE JURISDICTION OF NACOGDOCHES AND SITUATED EAST OF THE SABINE RIVER*

Number of Ranches	*Name of the Owner*	*Name of the Place*
1	Pablo Lafita	On Las Piedras creek
1	Andrés Balentín	At the lake of Las Piedras creek
1	José Lavina	On Las Cebollas prairie
1	Pedro Dolet	On Crystal creek
1	Antonio Dubois	On Crystal creek
1	Francisco Prudome	In the village of the Adaes Indians
1	Francisco Morban	On Durazno creek
1	Widow of Tontin	On Tapalcate creek
1	Manuel Prudome	On Arroyo Hondo de los Adaes
1	Morfil	On Los Adaes lake
1	Bouquier	On the east side of Prieto lake
1	Santiago, the Englishman	On San Juan creek
1	José Piernas	At Santa María Adelaida

Nacogdoches, February 27, 1797.

José Ma. Guadiana

[Rubric]

* MS., Bexar Archives.

APPENDIX B

JURISDICTION OF THE SETTLEMENT OF NEUSTRA SENORA DEL PILAR DE NACOGDOCHES

HOUSES LOCATED IN THE EAST SIDE OF THE SABINE RIVER YEAR OF 1805*

Families	[*Description*]	[*Members in the Household*]
1	Syndic Procurator Don Marcelo Soto, Spaniard; occupation, farmer; age, forty-five years; married to Doña María Ballú, of French nationality; 40 years of age; they have two sons, and two daughters, 11, 8, 14, and 9 years of age, and three unmarried male negro slaves, 22, 15, and 4 years of age, and five female negro slaves, 40, 22, 9, and 4 years of age. Soto lives in a house on the bank of Las Piedras Creek	14
2	Pedro Lafita, Spaniard; occupation, farmer; age, 37 years; married to Luisa Gaño, of French nationality, age, 30 years. They have a son and a daughter, two and 6 years of age	4
3	Luis Beltrán; occupation, farmer; nationality French; age, 50 years; widower; he has a son and a daughter, 9 and 17 years of age.....	3
4	Doña María Ana de Soto, Spaniard; age, 42 years; married; her husband is absent; he has: three sons, and five daughters, 16, 10, 5, 17, 8, 5, 4, and 3 years of age; a stepson 30 years old, two negro slave women, one of whom is married to a slave named Juan Bautista; a male servant named Francisco Serben, of French nationality, 52 years of age, unmarried	14
5	Vicente Rolan, unmarried; field hand, 49 years of age	1

*MS., Bexar Archives.

6 Don Atanacio Peosó, of French nationality, 28 years of age; occupation, farmer; married to Doña Juana Elena Pabí, of French nationality, 22 years of age. They have two sons and two daughters, 7, 4, 6, and one year of age; they also have five male and five female negro slaves 16

7 Miguel Ramben, of French nationality; occupation, farmer; his age, 44 years; he is married to Teresa Mallu, 28 years of age. They have four sons, 11, 9, 6, and 2 years of age, and a hired hand named José Crafon, of Irish Nationality, unmarried, and 60 years of age, a farmer by occupation..... 7

8 Carlos Grullal, of French nationality; occupation, farmer; 40 years of age; he is married to Gregoria García, mestiza, aged 26..... 2

9 Juan Balbadó, of French nationality, 40 years of age; occupation, farmer; his wife is named Leonor Tesie and is of French nationality, and 41 years of age. They have a son, and four daughters, 5, 12, 9, 7, and 3 years of age, and a hired hand named Juana, who is a free negress and has a bachelor son named José, aged 15..... 9

10 José Tesie, Frenchman; occupation, farmer; age, 53 years; unmarried; he has a negro slave named Francisco, 18 years of age, and a hired hand named Juan de Dios Nieto, a Spaniard, who is unmarried and 25 years of age.. 3

11 Louis Forten, of French nationality; occupation, carpenter; 66 years of age; married to Manuela Aragón, mestiza, 30 years of age. He has his mother-in-law, aged 70, as a dependent. He likewise has a sister named Eugenia, who is married, and whose husband is away; she has three daughters, 8, 6, and 6 years of age..... 7

12 Don Pedro Dole, of French nationality, 40 years of age; occupation, farmer. He is married to Doña Rosa Dupré, Spaniard, 40 years of age. They have a son and a daughter, 21 and 15 years of age, a male and a female negro slaves, married, and three other female negro slaves, 15, 12, and 5 years of age..... 8

13 Andrés Valentín, of French nationality, 45 years of age; occupation, farmer; married to Angela Molis, a Frenchwoman, 34 years of age. They have a son 13 years old..... 3

14 Doña María Soto, Spanish widow, 49 years of age; her son Silvestre, unmarried, 20 years old. She has a male and a female negro slaves, married, three unmarried male negro slaves, and a mulatto woman named Juana 49 years of age, who has a daughter 7 years of age. The whole family lives in New Yatasé..... 9

15 Elena, widow, of American nationality. Her sons, Jacobo Guales [Wales], Tomás, and Benjamin, unmarried, and 35, 25, and 23 years of age 4

16 Jacinta Gañé, of French nationality, 25 years of age, widow, and she has four sons and one daughter, 6, 5, 4, 3, and 2 years of age. This family and the preceding one live at the place named Nabancha 6

17 Francisco, a free negro, and servant to Doña María Soto, lives in a house located at a place named Las Tres Casas. At the place known as Tierra Prieta lives another negro, a slave, named Luis, who is unmarried, and who looks after livestock belonging to Don Atanasio Poesó 2

18 Bacilio Gañé, of French nationality, 28 years of age; occupation, farmer; married to Doña María Lafita, who is 27 years of age. He has two brothers, named Rosimó and Juan Bautista, both unmarried, 16 and 14 years of age, and a negro slave named Andrés, who is unmarried, and 25 years of age..... 5

19 Miguel Vicente, of French nationality; occupation, farmer; 27 years of age; married to Elena Rublo, who is away..... 1

20 Francisco Prudomo, Frenchman, 74 years of age; occupation, farmer; married to María Ramben, a Frenchwoman, 42 years of age. They have two sons and seven daughters, 23, 15, 15, 18, 13, 9, 7, 5 years, and 3 months of age, and one male and one female negro slaves, 45 and 59 years of age..... 13

21 Pedro Rublo, of French nationality; occupation, farmer; 40 years of age; married to Magdalena Bastie, a Frenchwoman, 27 years of age. They have a son, and a daughter, 1 and 3 years of age, and a servant named Juan Malrroné, of Irish nationality, unmarried, 46 years of age..... 5

22 Francisco Morban, of French nationality; occupation, farmer; 78 years of age; married to Ana María, of Apache nationality. They have three sons and one daughter, and one grandson, 30, 20, 15, 22, and 5 years of age..... 7

23 Santiago Cristin, of French nationality; 80 years of age; married to María Dorotea, a Frenchwoman, 50 years of age. They have two sons and one daughter, 17, 11 and 13 years of age, and a hired hand named Juan Rivera, a Spaniard, unmarried, a farmer by occupation, and 30 years of age..... 6

24 Luis, Indian of the Caudacho nation, 30 years of age; occupation, farmer; married to Magdalena Cristin, 25 years of age; they have one son and three daughters, 3, 8, and 7 years of age..... 6

25 Antonio Bouquier, of American nationality; occupation, farmer; 57 years of age; married to Mariana, Englishwoman; her age, 42 years; they have one son, unmarried, 26 years of age 3

26 Andrés Bollet, of American nationality, 39 years of age, married to Sara, of French nationality, and 20 years of age. Andrés is a servant to Don Guillermo Barr. Guillermo Bollet, José Boen, and André Par; the first two are Americans and the third is an Irishman; they are unmarried, and 31, 32, and 35 years of age. They are living at La Nana..... 5

27 Edmundo Norris, of American nationality, and 47 years of age; occupation, farmer. He is married to Sara Reyes, also an American, 43 years of age. They have two sons and two daughters, 22, 18, 10, and 5 years of age..... 6

28 Miguel Cro [Crow], American; occupation, farmer; he is 40 years of age, and married to Margarita Laflor, Irish, 36 years of age. They have four sons and one daughter, 17, 12, 10, and 14 years of age, and another daughter named Margarita, who is 19 years of age. She has one son, one year old..... 9

Total.....178

Remarks: The Americans Barre, Juan, Santiago, Debis, John, Losi, and Guillermo, and the Frenchmen Etien and Bautista perform seasonal work in the farms of these families.

Nacogdoches, November—, 1805
José M'a Guadiana

Appendix C

List of foreigners or their children, who are considered to be within the jurisdiction of Nacogdoches, and who are living in Bayou Pierre*

Name	*Family and Servants of Each Household*
Don Marcelo Soto	Three sons, two daughters, 3 male slaves, 5 female slaves
Pedro Dole	His wife, 1 son, 1 daughter, 3 male slaves, 5 female slaves

* MS., Bexar Archives.

Miguel Ramben	His wife, 3 sons, 3 daughters
Luis Beltran	Two daughters, one male slave, one nephew
Maria Ramben	Five daughters, one male slave
Francisco Prudome	His wife, one stepson, two male slaves
Andres Balentin	His wife, one son, one male slave, one female slave
Pedro Lafita	His wife, 3 sons, 2 daughters, two male slaves
Pablo Lafita	His wife, 4 sons, 5 daughters
Bautista Prudome	His wife, 2 sons, 1 male slave, one female slave
Juan Palvado	His wife, 2 sons, 4 daughters
Miguel Vicente	His wife, on a trip to Louisiana
Carlos Grullal	His wife
Bautista Colet	His wife, 5 sons, two daughters, 4 sons
Antonio Dubua	His wife, 4 sons
Maria de Soto	One son and six male slaves
Santiago Guales [Wallace]	His wife
Jacobo Guales Tomas Guales	Their mother has 4 male slaves
Remigio Cristin	His mother, two brothers, three sisters
Pedro Ruble	His wife, 1 son, two daughters
Vicente Rolan	His wife, 1 son, two daughters
Lucas Morley	His wife, 1 son, two daughters
Jose Morvan Pedro Morvan	One sister, their mother, and one brother
Bele Buquer	His mother
Pedro Beluix	His wife, one son and 4 daughters
Miguel Cro [Crow]	His wife, 3 sons, 2 stepsons, one stepdaughter, and two sons of his stepdaughter

Nacogdoches, April 14, 1810
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[Rubric]

APPENDIX D

LIST OF RANCHES RECOGNIZED AS LYING WITHIN THE JURISDICTION OF NACOGDOCHES, TOGETHER WITH THE NAME OF THE RANCH, NAME OF THE OWNER, DISTANCE AND DIRECTION FROM NACOGDOCHES*

Name of the Ranch	*Name of the Owner*	*Distance or Direction [from Nacogdoches]*
San Bernardo	Don Bernardo Dortolan	About 4 leagues west of this post
San Patricio	Don Guillermo Barr and Don Samuel Davenport	About 6 leagues west of this post
Santa María Adelaida		About 25 leagues northeast
La Nana		About 30 leagues west
Palo Gacho	Crisostomo Fonca	About 18 leagues east
Aices	Antonio Paret	About 14 leagues east
Aices	Denis Quinelty	About 14 leagues east
Angelina	Esteban Goget	About 4 leagues south
Aices	Guillermo Querque	About 15 leagues east
Durazno	Jose Lucobiche	About 6 leagues south
Salinillas	Fouterie	About 6 leagues south
Aices	Rafael Sims	About 15 leagues east
Nacaniche	Reimundo Norris	Six leagues northeast
Borregas, in lands of Piefermo	Santiago Sidre	About 30 leagues east
Patrón	Santiago Lepin	About 16 leagues east
Aices	Ana Alsop, wife of Reimundo Querque	About 15 leagues east
Legal dwelling of Cro, crossing of the ferry	Miguel Cro [Crow]	About 26 leagues east

* MS., Bexar Archives.

Crossing of the Sabine	Miguel Cro [Crow]	About 25 leagues east
Bayou Pierre	Don Marcelo Soto	About 37 leagues east
Three houses at Bayou Pierre	Atanacio Poesó	The first [house] about 37 leagues east, the 2nd about 40 leagues northeast
Bayou Pierre	Andres Valentín	About 33 leagues east
Bayou Pierre	Pedro Dole	About 33 leagues east
Bayou Pierre	Antonio Dubua	About 33 leagues east
Bayou Pierre	Bautista Prudome	About 33 leagues east
Bayou Pierre, place known as "White Land"	Santiago Cristen	About 42 leagues east
Bayou Pierre and Tacuachilla	Maria Rambere	About 40 leagues east
Bayou Pierre	Carlos Grullal	About 38 leagues east
Bayou Pierre	Bautista Colet	About 38 leagues east
Bayou Pierre	Pedro Lafita	About 37 leagues east
Bayou Pierre	Luis Beltrán	About 37 leagues east
Bayou Pierre	Juan Palvado	About 33 leagues east
Bayou Pierre, the Englishmen	Santiago Wales, and his brothers	About 40, north of Bayou Pierre
Bayou Pierre	Pedro Ruble	About 38 leagues east
Bayou Pierre	Pablo Lafita	About 37 leagues east
Bayou Pierre	Silvestre Poeso	About 37 leagues east
Bacilio	Francisco Prudome	About 39 leagues east
Morban	Jose Morban	About 43 leagues east
Juan Mora lake	Buquer	About 40 leagues east
La Iglesia	Pedro Bolille	About 45 leagues east

Nacogdoches, April 14, 1810
José M'a Guadiana
[Rubric]

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